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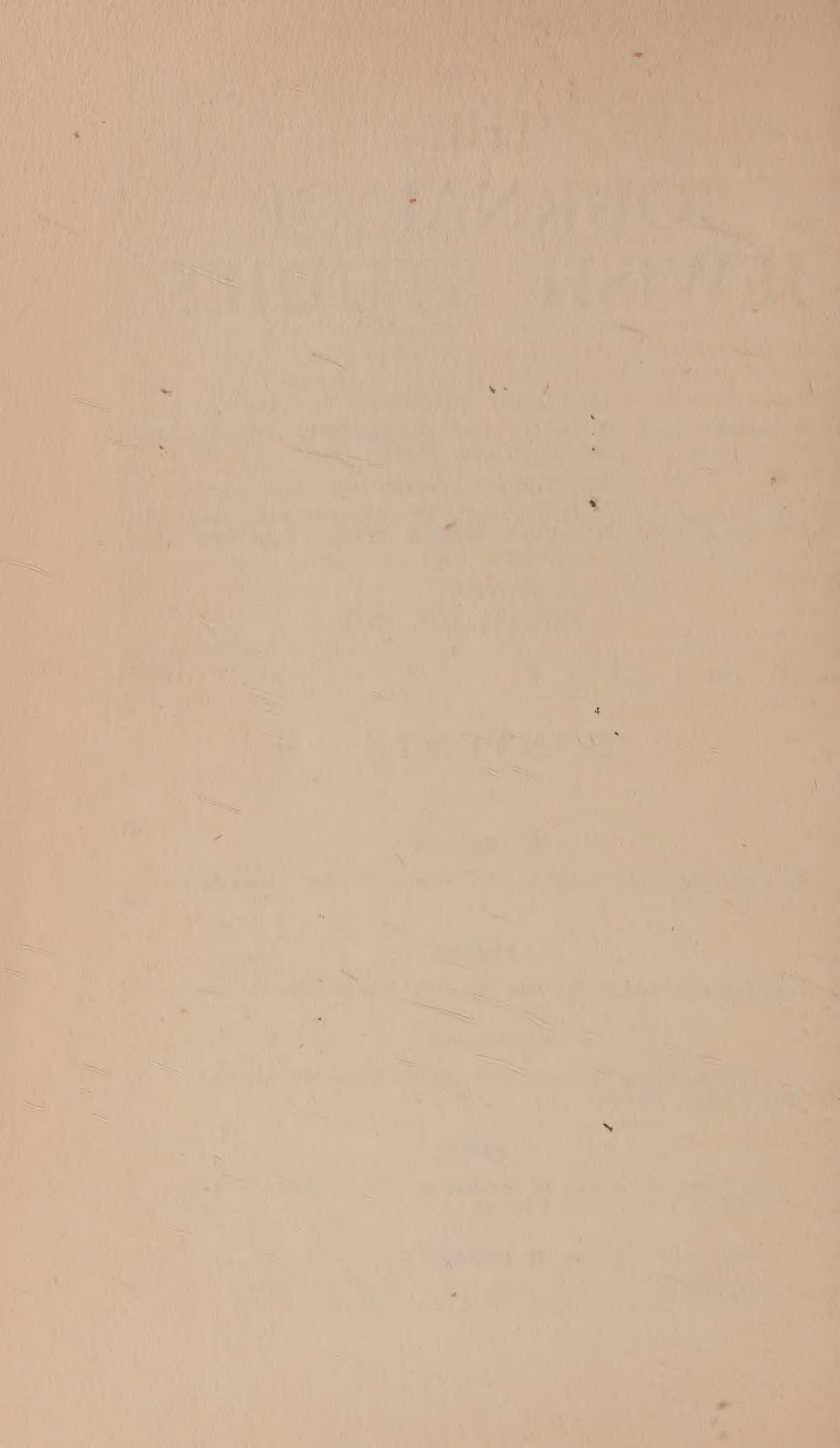
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THE TEACHING OF THE PRE-PAULINE CHURCH IN THE DEAD SEA SCROLLS—VI

(Continued from Vol. IV, No. 3)

HAS A JOHANNINE SECT EVER EXISTED?

The problem of the origin of Zacharia's hymn (Luke i, 67ff.), as to whether it is Christian and refers to Jesus or was composed within the Johannian sect to celebrate John the Baptist as the Messiah, is most pertinent to the study of the Dead Sea Scrolls. A number of scholars have, in fact, advanced the hypothesis that the Scrolls, including the Damascus Fragments (which represent a tenth- or eleventh-century copy of an ancient scroll), are connected with the sect of John the Baptist. It has even been suggested, albeit very tentatively, that the attitude towards the Bible which we find expressed in the Habakkuk Scroll, and which is identical with the attitude towards the Bible in the New Testament, may have also originated with John the Baptist.¹ It may be anticipated that the demonstration, presented in my previous study, of the similarity between the literary form of the Damascus Fragments and that of the New Testament, as exemplified by Zacharia's hymn,² will be used to buttress the rickety hypothesis of the Johannine origin of the Scrolls. A searching inquiry into the origin of Zacharia's

¹ G. VERMES in *Cahiers Sioniens*, 1951, No. 4, pp. 347-348 (11-12 in the offprints). KARL ELLIGER in his *Studien zum Habakuk-Kommentar vom Toten Meere* (Beiträge zur historischen Theologie herausg. von GERHARD EBELING), Tübingen, 1953, p. 240, n. 3, objects against VERMES that the type of exegesis exhibited in the Habakkuk Scroll may be even older than John the Baptist. ("Aber ebenso gut kann diese Art der Exegese auch älter sein als Johannes.") But, then, why not even older than the period before John, and so *ad infinitum*, until we reach the moment of the creation of the world? At the root of ELLIGER's argument lies a spurious and utterly unscientific concept of "evolution." The same concept of "evolution" dominates the whole field of Hebrew and biblical studies and underlies in one form or another all the wrong hypotheses that have been advanced to explain the origin of the Dead Sea Scrolls. It underlies also VERMES' suggestion that because there is a similarity between the N.T. and the Habakkuk Scroll, the latter must belong to the pre-Christian period.

² See *JJS*, IV (1953), pp. 102f. In summing up the characteristics of the exegetical method of the Damascus Fragments (which I contend is similar to that of the N.T.), I wrote: "It is not the single expression that mattered, but the whole biblical context from which it derives. The single expression—and this seems to be an important canon of interpretation—must be regarded merely as a pointer directing the mind of the relevant section of the Bible" (p. 103). I have derived great comfort in reading (after my study was in print) Professor C. H. DODD's conclusions concerning the method of the N.T. writers: "The method included, first, the selection of certain large sections of the Old Testament scriptures, especially from Isaiah, Jeremiah, and certain minor prophets, and from the Psalms. These sections were understood as *wholes*, and particular verses or sentences were quoted from them rather as pointers to the whole context than as constituting testimonies in and for themselves." (*According to the Scriptures, The Sub-Structure of New Testament Theology*, London, 1952, p. 126.)

hymn is thus indispensable for the proper understanding of the Scrolls. But the scope of this inquiry must be extended to cover the whole question of the Johannine sect. The series of studies which I am now in the course of publishing in this Journal aims, to put it briefly, at the reconstruction of the doctrine and beliefs of the pre-Pauline Church. The clarification of the activity of John the Baptist and his followers and its relation to the primitive Church, as well as to Jesus' ministry, is a task that directly concerns the whole purpose of these studies and cannot be shirked.

I shall start on the inquiry by referring to a recent discussion by Professor Philip Vielhauer of the textual and historical problems set by Zacharia's hymn and the explanation offered by him of the origin of the hymn.¹ The explanation is rather complicated. According to Vielhauer, the hymn emanated originally from the circle of John the Baptist's disciples and contains the expression of their messianic beliefs, which differ essentially from those professed by their master. John the Baptist considered himself merely the forerunner of an eschatological Messiah who would appear in order to judge the world by "the baptism of fire." But John's disciples, disappointed with the failure of this Messiah to appear, transferred to John himself, after his death, their messianic expectations. They now conceived John to be the Messiah and they also changed his function; he was no longer expected to appear as the Judge of the world, but as the Saviour of the world.² John's disciples thus inaugurated a messianic movement and promulgated a doctrine which were centred on the person of John the Baptist, the Messiah, in opposition to, and in rivalry with, the Christian movement and doctrine which were centred on the person of Jesus, the Messiah. They celebrated their belief in John, the Messiah, in the hymn which Luke incorporated into his Gospel and put into the mouth of Zacharia.

The reason why Luke felt no compunction in using the Johannine hymn and inserted it into his narrative of Jesus is very simple. The hymn, once embedded within a Christian context, inevitably assumed a Christian meaning and became easily intelligible as referring to Jesus. The transfer of meaning and reference was facilitated by the circumstance that the expression *kyrios* (Lord) in Luke i, 76, is ambiguous; its exact connotation depended on the context of the hymn. As long as the hymn existed in isolation among the Johannine sect the word *kyrios* was understood to refer to "God"; but when it was incorporated into the

¹ *Zeitschrift für Theologie und Kirche*, XLIX (1952), pp. 252-272.

² "Aber an Stelle der eschatologischen Gestalt, als deren Vorläufer sich Johannes verstanden hat, ist . . . er selbst getreten, als Wegbereiter nicht eines 'Messias', sondern Gottes selbst. Diese Differenz zeigt, dass die Täufergemeinde eine andere Messianologie vertritt als der Täufer; als der von Johannes geweissagte 'Messias' nicht erschien, machten seine Jünger ihren Meister selbst zum Messias, aber mit Rücksicht auf die historische Wirklichkeit nicht zum Weltrichter, sondern zum Weltheiland." *Op. cit.*, pp. 267-269.

Gospel, *kyrios* was naturally taken to refer to Jesus by Christians who read the hymn within its Christian context.¹ Luke's motive in adopting the Johannine hymn is equally simple. He intended to present John as the forerunner of Jesus, the Messiah,² and at the same time to show the Johannine sect that he, as a Christian, understood better than they themselves the nature of their belief in the Baptist, thus calling upon them to offer themselves as witnesses of Jesus' messiahship.³

The nature of Professor Vielhauer's explanation is significant in many respects. It draws its sustenance from the imposing body of *Religionswissenschaft*, and the lore of *Formgeschichte* and of textual and literary criticism, to which I have not referred for reasons that will become clear in the course of this study. But its main feature, and this is of our immediate concern here, is clearly that of a compromise. Professor Vielhauer has in fact succeeded in combining the differing opinions of scholars by satisfying in a large measure the claims of their contrasting arguments, and he may count therefore upon their agreement. His explanation will also recommend itself to those who regard the agreed opinion of scholars as the criterion of truth in historical and literary research,⁴ but hardly to those who believe that truth can be attained only by the rigorous application of a critical method. The latter have a duty to investigate whether the agreed opinion of scholars on a certain matter may not ultimately rest upon presuppositions shared by all of them, but nevertheless wrong.

Professor Vielhauer's explanation of Zacharia's hymn is grounded on the presupposition that there was in existence for a considerable time a sect or community of followers of John the Baptist, who believed in him as the Messiah. This presupposition is shared, as far as I have been able to ascertain, by all modern scholars of the New Testament, who differ among themselves only in respect to the time when the belief in John, the Messiah, arose—some of them would place it at a rather late stage in the development of the sect. It is remarkable, however, that the whole ecclesiastical tradition reveals no knowledge of the existence of such a sect.⁵

¹ *Op. cit.*, pp. 261, 263, 265, 270.

² *Op. cit.*, p. 269: "Er (Lukas) wollte vielmehr Johannes als den Vorläufer des Messias Jesus schildern."

³ *Op. cit.*, p. 270: "er (Lukas) zeigte andererseits der Täufergemeinde, dass er als Christ ihr Bekenntnis zum Täufer besser verstand als sie selbst, und rief sie damit selbst zu Zeugen der Messianität Jesu auf."

⁴ This criterion of truth predominates in Hebrew and biblical scholarship. But it may be pointed out that the notion of *consensus doctorum* as being equivalent to truth belongs to the sphere of practical life and jurisprudence, not to science. It thus has its proper place, for example, in the Moslem system of law, which recognises the principle of *ijma'*—the agreed opinion of experts. The fact that, for many centuries, the agreed opinion of the learned held the principles of Aristotelean physics to be true, should serve as a salutary warning.

⁵ See JOSEPH THOMAS, *Le Mouvement Baptiste en Palestine et Syrie*, Louvain, 1935, p. 137. The few exceptions in the ecclesiastical tradition, mentioned by THOMAS, are, in fact, as will be shown in the course of this study, no exceptions.

Could it be that the modern scholars are wrong and the Church Fathers right?

To proceed on our inquiry in an orderly fashion, let us first define exactly the nature of the statement about the existence of the Johannine sect or community. In none of the sources (Gospels, Acts, Pseudo-Clementines and Ephrem), which, it is alleged, contain direct or indirect information about the "sect" or "community," are such terms applied to the followers of John the Baptist. They are called "disciples," an expression that is not necessarily equivalent to "sect" or "community." It would be quibbling to contest that the substitution of the term "sect" for "disciples" is not legitimate; but it is quite obvious that the substitution of the term is in itself a clear indication that the statement about the existence of the Johannine sect is nothing but a hypothesis formulated in order to explain a set of relevant texts. The validity of a hypothesis must be judged only on the ground of its fitness to explain the facts under consideration: in our case, the relevant texts. Let us now therefore submit the hypothesis of the existence of a Johannine sect to the test and examine whether or not it fulfils its function of explaining the texts.

The most suitable texts for testing the validity of the hypothesis of a Johannine sect are the episodes of Apollos and the twelve disciples in Ephesus in Acts, chapters xviii and xix, since the hypothesis has been formulated precisely in relation to these episodes and used to explain them. It will be convenient to deal with each episode separately and to begin with that of the twelve disciples in Ephesus. The text in Acts xix, 1-6, runs as follows:

And it came to pass that, while Apollos was at Corinth, Paul having passed through the upper coasts came to Ephesus: and finding certain disciples,

He said unto them, Have ye received the Holy Ghost since ye believed? And they said unto him, We have not so much as heard whether there be any Holy Ghost.

And he said unto them, Unto what then were ye baptised? And they said, Unto John's baptism.

Then said Paul, John verily baptised with the baptism of repentance, saying unto the people, that they should believe on him which should come after him, that is on Christ Jesus.

When they heard this, they were baptised in the name of the Lord Jesus.

And when Paul had laid his hands upon them, the Holy Ghost came on them; and they spake with tongues, and prophesied.

Joseph Thomas, the most valiant advocate of the hypothesis of the existence of a Johannine sect, finds no difficulty in explaining this text. The group of twelve men in Ephesus were "Disciples of

John," that is to say, members of the Johannine sect,¹ whom Paul converted to the Christian faith.² There are, however, two weighty obstacles in the path of this explanation. The group in Ephesus is referred to as *mathētai* (disciples) as well as *pisteusantes* (believers)—two expressions that, as admitted by Thomas himself, can only denote Christians.³ Thomas has endeavoured, indeed, to go round the second obstacle by suggesting that the term *pisteusantes* does not mean that the Ephesus group were, in fact, believers, but that Paul supposed them (wrongly) to be so.⁴ This suggestion is "possible" in the sense that we can conceive it without involving ourselves into a contradiction, but it cannot be proved or disproved (no demonstration is available that a "possibility" is impossible). But the nature of this suggestion is, from the point of view of scientific method, quite clear: It is a subsidiary hypothesis exogitated *ad hoc* in order to remove the difficulty which the main hypothesis (the existence of a Johannine sect) has run into.

To overcome the first obstacle, presented by *mathētai*, Thomas offers no less than three suggestions: (a) the term may have a wider connotation and refer to Paul's audience; (b) it may have been Paul's wrong supposition that the Ephesus group were *disciples* (Christians); (c) the term may be anachronistic and due to the editor of Acts.⁵ Fortunately, the first two suggestions can be easily disposed of. Suggestion (a) contradicts the correct assumption that the expression *mathētai* in Luke refers to Christians and suggestion (b) contradicts the plain meaning of the text, since the term *mathētai* is used, not by Paul in his direct speech (as is the case with *pisteusantes*), but by the author of Acts to describe the status of the Ephesus group. The remaining suggestion (c) is again an *ad hoc* subsidiary hypothesis resting upon yet another *ad hoc* subsidiary hypothesis about the "editor" of Acts.⁶

I have dissected and analysed at such length Thomas' explanation of the episode of the twelve disciples in Ephesus, because only

¹ THOMAS uses the expression "Disciples of John" as an equivalent to the Johannine Sect. See, *op. cit.*, p. 96: "La secte s'est maintenue, mieux constituée que jamais; nous pourrions désormais parler des "Disciples de Jean," des Johannites."

² *Op. cit.*, p. 97: "Ces douze disciples sont, à notre avis, des Disciples de Jean que Paul convertira au Christianisme."

³ *Op. cit.*, p. 99: "les deux terms, sous la plume de Saint Luc, sont d'usage courant pour désigner les Chrétiens."

⁴ *Op. cit.*, p. 100: "Le term *pisteusantes* s'explique donc par la supposition de Paul qu'ils sont déjà Chrétiens."

⁵ *Ibid.*, "le term *mathetai*, s'il ne s'applique pas dans un sens très large à tous les auditeurs de Paul, peut se justifier par la même supposition de l'apôtre ou encore par un anachronisme du rédacteur des Actes."

⁶ The general problem of the validity of the hypothesis about the "editor" of Acts is not the concern of this study. My object is merely to point out that this hypothesis has been invoked to explain a difficulty arising from the application of the main hypothesis (about the existence of the Johannine sect) to the interpretation of the text. Even if the hypothesis of the "editor" is valid on other grounds, it still amounts to "special pleading" when it is invoked to get rid of a text that contradicts the assumption of the main hypothesis.

by this means could its nature be revealed. His explanation consists, in fact, of a main hypothesis (about the existence of the Johannine sect) with several *ad hoc* subsidiary hypotheses appended to it. Its logical structure, from the point of view of method, is the same as that of the pre-Copernican astronomical theory with its spheres and epicycles. The subsidiary hypotheses that become so necessary in Thomas' explanation serve only to reveal the fact that his main hypothesis of the existence of a Johannine sect cannot be right, just as the increasing number of subsidiary hypotheses introduced into the pre-Copernican theory disclosed that its primary assumption (that the earth is the centre of the universe) was wrong. The hypothesis of a Johannine sect applied by Thomas to the interpretation of the Ephesus episode of the twelve disciples thus fails its test of validity.

Let us consider more closely the account of the Ephesus episode in Acts. At first sight it appears to contain a contradiction: the twelve men are called *disciples* and *believers*, implying that they were Christians, but at the same time they are referred to as having been baptised "unto John's baptism," and, thus, as not being Christians. Thomas attempted to solve the contradiction by eliminating the Christian term, and failed. Other scholars have tried to solve it by eliminating the Johannine term and have failed equally. M. Goguel's explanation of the Ephesus episode is perhaps a typical example (although not original, being derived from A. Loisy) in this respect. According to him, the disciples in Ephesus were indeed Christians but had no knowledge of baptism. This seemed such an extraordinary thing to the editor of Acts that he made them into disciples of John the Baptist. The important thing, Goguel concludes, is that the editor of Acts believed that the twelve disciples were disciples of the Baptist, even if they were not such in fact, for his belief establishes the continued existence of a group of the Baptist's disciples until the close of the first century.¹

It will be easily recognised that Goguel's attempt to solve the contradiction rests on the hypothesis of the existence of a group of disciples of John the Baptist, combined with the auxiliary hypothesis concerning the editor of Acts. These hypotheses, however, do not, in fact, solve the apparent contradiction in the text of Acts, but simply transfer it from the text into the mind of the putative editor, who is made to offer the inconsistent statement that Christian disciples are the Baptist's disciples. The hypothesis of a Johannine sect, applied to the interpretation of the episode of the disciples in Ephesus, has again failed its test of validity. It is precisely this

¹ *Jean-Baptiste*, Paris, 1928, p. 104: "C'étaient des Chrétiens qui ignoraient le baptême. La chose a paru si extraordinaire au rédacteur des Actes qu'il en a fait des disciples de Jean-Baptiste.

Même si Apollos et les douze hommes baptisés par Paul n'étaient pas des disciples de Jean-Baptiste, il reste que le rédacteur des Actes a cru qu'ils en étaient et ceci déjà est important parce que, par là, est établie la persistance d'un groupe de disciples du Baptiste jusqu'à la fin du premier siècle."

episode that forms a *locus classicus* in the display of "evidence" for the existence of a Johannine sect!¹

How, then, can the apparent contradiction in the account of Acts xix be solved? The best procedure in such cases is to examine carefully the terms of the contradiction in order to ascertain whether we may not have created the contradiction ourselves by attaching a meaning to one of the terms (or both) which was not intended by the author. Now, there is no doubt, in view of Luke's usage, that the expression "disciples" (*mathētai*) and "believers" (*pisteusantes*) can refer only to Christians. It is true, Thomas has argued that the "disciples" in Ephesus must have been "Disciples of the Baptist," but his reasoning appears to me to be based on an involuntary equivocation. He writes as follows: "Verses 4 and 5 [of Acts, xix] seem to us to offer convincing evidence: 'Then said Paul, John verily baptised with the baptism of repentance, saying unto the people, that they should believe on him which should come after him, that is, on Christ Jesus. When they heard this, they were baptised in the name of the Lord Jesus.' Paul's explanation has no sense unless it is addressed to the disciples of John; it insists, in fact, upon the provisional character of John's baptism and on its value as a preparatory rite for the messianic kingdom (which Jesus in fact inaugurated). It is as if the apostle would have said: 'He, whom John has announced, is Jesus: adhere then to him and believe in him, as John himself invited you to do by conferring his baptism.' Was it necessary to teach Christians, even imperfect Christians, that Jesus was the Messiah? Was not this the first article of the Christian faith and the foundation, indeed, of this faith."²

Of course, the statement that the first article of the Christian faith was that Jesus was the Messiah is true. But it is equally true that a necessary qualification of this statement should not be forgotten. From Peter's speech in Acts II, it is quite clear that the Hebrew Christians believed that Jesus became the Messiah after his crucifixion, when he was "raised up" by God, but was not the Messiah during his ministry on earth. The conclusions drawn from this belief

¹ See, for example, VIELHAUER, *op. cit.*, p. 268: "Die Existenz der Johannes-Gemeinde ist zwar durch die Evangelien, und die Apostelgeschichte[!] . . . verbürgt." He adds, however (*ibidem*, n. 1), that: "Der historische Kern von Acta 19, 1ff., ist schwer festzustellen," thus confessing that the assumption of a Johannine community is of no avail!

² *Le Mouvement Baptiste*, pp. 97-99: "Les versets 4 et 5 nous paraissent convaincants: 'Paul leur dit: Jean baptisait d'un baptême de pénitence, invitant le peuple à croire en celui qui viendrait après lui, c'est-à-dire en Jésus. Entendant cela, ils furent baptisés au nom du Seigneur Jésus.' L'explication de Paul n'a pas de sens que si elle s'adresse à des disciples de Jean; elle insiste en effet sur le caractère provisoire du baptême de Jean et sur sa valeur de rite préparatoire au règne messianique (que Jésus en fait a inauguré). C'est comme si l'apôtre avait dit: 'Celui que Jean annonçait, c'est Jésus: adhérez donc à lui et croyez en lui, comme Jean lui-même y invitait en conférant son baptême.' Fallait-il enseigner à des chrétiens, même à des chrétiens imparfaits, que Jésus était le Messie? N'était-ce pas là le premier article de la foi chrétienne et le fondement même de cette foi?"

by the Hebrew Christians are very important. Jesus had not yet inaugurated the messianic kingdom, although he would inaugurate it when he reappeared as the Messiah to judge the world. Since the messianic kingdom had not yet been ushered in, the Holy Ghost did not yet dominate the world, nor had sin been destroyed, nor had the biblical laws been invalidated. (The Hebrew Christians therefore observed these laws by following their own tradition of legal interpretation that went back to Jesus himself.) The advent of Jesus, although it had not inaugurated the messianic age and the reign of the Holy Ghost, had nevertheless been of decisive consequence. The Christian community had not been abandoned to its own devices after his death, but had been accorded by God, 'through Jesus' intervention, guidance, and assistance in combating sin, in the form, not of the Holy Ghost, but of the Paraclete, the Spirit of Truth.¹ Paul opposed the belief of the Hebrew Christians on all its essential points. According to him, Jesus had died on the cross as the Messiah and his death had abolished sin; he had inaugurated the reign of the Holy Ghost and had ushered in the messianic age, and the biblical laws had thus been superseded. But Paul still believed in the second advent of Jesus, the Messiah, as the judge of the world, which would inaugurate the age of the Kingdom of Heaven. The main point of issue between Paul and the Hebrew Christians of the Jerusalem Church was, in fact, the "chronology," so to say, of Jesus' messiahship, and the important consequences that were attached to it. Underlying this issue, there was also a divergence of opinion concerning the eschatological age, which can be neatly expressed in rabbinic terms: the Hebrew Christians believed the *yemoth hammashiah* (the Messianic Age) and '*olam haba*' (the Kingdom of Heaven) were identical and a thing of the future; Paul believed that *yemoth hammashiah* (already inaugurated by Jesus, the Messiah) was different from, and a preliminary stage of, '*olam haba*'.

This brief sketch of the beliefs of the primitive church, which I shall expound in greater detail in the course of my study of the Scrolls, reveals clearly the equivocation in Thomas' argument. A Christian—a Hebrew Christian—did, in fact, believe that Jesus was the Messiah, but he would still, nevertheless, deny that the messianic age had been inaugurated and the gift of the Holy Ghost accorded to Christians.² And this is exactly the religious position of the twelve

¹ See my article in *JJS*, IV (1953), particularly pp. 9ff.

² It is very instructive as well as, alas, depressing to observe to what extent the same equivocation to which THOMAS fell a victim, is blocking the path of a true understanding of the Dead Sea Scrolls. Thus, for example, Professor W. Grossouw, who in his two studies (*The Dead Sea Scrolls and the New Testament* in *Studia Catholica*, Nijmegen, 1951 and 1952) has convincingly shown that the doctrine and phraseology of the Dead Sea Scrolls are the same as those of the N.T., considers the sect of the Scrolls, nevertheless, "an orthodox-Jewish body inside Palestinian Judaism" (*op. cit.*, 1951, p. 290). There is not the slightest scrap of evidence of the existence of such a body and none is adduced

disciples in Ephesus. Their reply to Paul's question (verse 2) "Have ye received the Holy Ghost since ye believed?" makes it abundantly clear. They said: *all' oud' ei pneūma hagion estin ēkousamen*. This is rendered in the A.V.: "We have not so much as heard whether there be any Holy Ghost," and by Moffat: "No, they said, we never even heard it existed." Both renderings seem to have missed the exact point of the reply, for it is impossible, as Thomas has justly remarked, to explain the reply in the sense that the disciples had no notion of the Holy Ghost.¹ Their reply could only mean that they did not know, or perhaps better, were not instructed that the Holy Ghost was already present. The Greek *ēkousamen* has here the connotation of the Hebrew *shm'*, in the meaning of "understand," "know" (biblical), or, preferably, in the meaning of "receive instruction," "learn" (rabbinic). As Hebrew Christians, the disciples believed in the advent of the Holy Ghost in the future, not in the present. Paul now puts their belief right on this point by using an argument which is most illuminating in several respects. He says: "John verily baptised with the baptism of repentance, saying unto the people, that they should believe on him which should come after him, that is, on Christ Jesus." In the first place, and contrary to Thomas' assertion, Paul's statement would make no sense if it had been addressed to the disciples of John the Baptist. Could such disciples be totally ignorant of the contents and purport of their master's teaching? According to Thomas' explanation, Paul tells the disciples all over again what they must have known already—a quite pointless procedure! On the other hand, Paul's statement makes perfect sense if it was addressed to Hebrew Christians, or followers

by GROSSOUW. His statement amounts, in fact, to the assertion that if two things are similar they must be different from each other. His underlying equivocation in regard to the term "Christian," which leads him to make such a curious pronouncement about the identity of the sect, is clearly revealed in his other conclusive statement: "It must be said that this doctrine [of justification] and this spirituality [of the Scrolls] show a great deal of similarity to those of St. Paul. There is naturally the important distinction that Christ's expiatory death takes up a central position in St. Paul's system of justification" (*op. cit.*, 1952, p. 2). Thus, the Scrolls must be "orthodox-Jewish," not Christian, because they do not exhibit Paul's teaching! The Hebrew Christians and their successors, the Ebionites, were, however, Christians, although they rejected Paul's doctrine. It is theological partisanship, not critical scholarship, to equivocate and restrict the connotation of the term "Christian."

Professor ROWLEY likewise considers fatal to the Ebionite theory of the origin of the Scrolls "the simple fact" that the characteristic ideas of Christianity "do not figure in our texts." "Christians," he says, "would have stressed that Jesus was the Messiah who had come, not only one who was expected, and His death and resurrection would have figured more largely and more clearly in their writings." (*The Zadokite Fragments and the Dead Sea Scrolls*, Oxford, 1952, pp. 57-58.) Professor ZEITLIN, too, rejects the Ebionite theory on the ground that "the Ebionites believed that Jesus was the true Messiah, and did not expect another Messiah, while the terms . . . in the Habakkuk commentary indicate that the writer or writers of the scrolls looked forward to the coming of the Messiah." (*JQR*, XLIV, 1952, n. 2, p. 107.) How much longer can the simple fact be ignored that the Hebrew Christians and the Ebionites did not believe that Jesus was the Messiah who had come, but the Messiah who was yet to come?

¹ *Op. cit.*, p. 99, n. 2.

of the Jerusalem Church. Since this Church did not believe that Jesus was the Messiah during his ministry on earth, John the Baptist could not consequently be regarded by them as the herald who proclaimed Jesus' messiahship during his lifetime. Paul's statement to the twelve disciples amounts, therefore, to nothing less than an instruction, or teaching, concerning the significance and meaning of John the Baptist's activity, which consisted in proclaiming that Jesus, who would come after him on earth, was Christ, the Messiah. Paul's teaching was effective; the disciples accepted it, were baptised in the name of the Lord Jesus, and received the *charisma* of the Holy Ghost. The account of the episode of the twelve disciples in Ephesus thus presents us with a story of the conversion (which may be typical) of Hebrew Christians to the Pauline conception of Jesus—a conversion in which the argument about the significance of John the Baptist's activity played a decisive part.

Let us now work out carefully the implications of this story of conversion. It seems obvious that the argument about John the Baptist could not have been so effective in regard to the Hebrew Christians if it had been entirely a fiction. It must have derived its persuasive force from a conviction which was shared equally by the Hebrew Christian and the Pauline Church, and this conviction could only have related to certain historical events which preceded Jesus' ministry on earth—events which in the Gospels are described from the Pauline point of view as the activity and the message of John the Baptist, but which could not have been looked upon in this light by the Hebrew Christians. Now, Paul's argument about John the Baptist (with which he converted the Hebrew Christians in Ephesus) must have consisted in nothing more than an interpretation of the preliminary historical events leading up to Jesus' ministry which were known and accepted by the Hebrew Christians. The light thrown by Paul on these events illumined the minds of the Hebrew Christians in Ephesus and effected their conversion. What were these historical events? I shall have occasion in the course of these studies to show that certain passages of the Discipline Scroll and the Damascus Fragments contain most valuable information about these events, but I must postpone reference to them until the present preliminary inquiry into the existence of the Johannine sect is finished, for only then will the true significance of the passages in the Dead Sea Scrolls become apparent.

The other implication of the conversion story in Ephesus is no less significant. Modern scholars of the New Testament have rightly felt that there is an undertone of polemic in certain passages of the Gospel referring to John the Baptist. From this they have argued that there must have existed, in competition with the Christian community, a Johannine sect against which these polemical thrusts were directed. But, since the hypothesis of a Johannine sect is untenable, and since the analysis of the Ephesus episode has

disclosed that Paul made use against the Hebrew Christians of precisely the argument about John the Baptist which scholars regard as containing polemical import, we must conclude that the polemical shafts in the Gospel are aimed at the Hebrew Christians, not at the fictitious Johannine sect. But here we seem to have landed ourselves in a paradox. Is it possible that certain references in the Gospel to John the Baptist are really references to the Hebrew Christians?

Let us go back to the text of Acts, xix, and consider the other term of its contradictory statement. The disciples of Ephesus declare that they had been baptised "unto John's baptism" (*eis to Iōannou baptisma*). The expression is awkward, but to endow it with a meaning carrying a reference to a fictitious Johannine sect is as unprofitable as it is easy. A similar expression occurs, however, in Luke vii, 29: *baptisthentes to baptisma Iōannou* (A.V.: "being baptised with the baptism of John"), and an examination of its context may help us to determine its meaning. The situation described in Luke, vii, is as follows: John the Baptist is in prison and sends out two of his disciples as messengers to Jesus to inquire whether he is "he that should come." The messengers join Jesus, witness the cures and miracles performed by him and then return to John. Thereupon Jesus "began to speak unto the people concerning John" (verses 24-30):

What went ye out into the wilderness for to see? A reed shaken with the wind?

But what went ye out for to see? A man clothed in soft garment? Behold, they which are gorgeously apparelled, and live delicately, are in kings' courts.

But what went ye out for to see? A prophet? Yea, I say unto you, and much more than a prophet.

This is he of whom it is written, Behold, I send my messenger before thy face, which shall prepare thy way before thee.

For I say unto you, Among those that are born of women there is not a greater prophet than John the Baptist: but he that is least in the kingdom of God is greater than he.

And all the people that heard him, and the publicans, justified God, being baptised with the baptism of John.

But the Pharisees and lawyers rejected the counsel of God against themselves, being not baptised of him.

The last two verses have caused the critics grave embarrassment, since they appear to propound an incongruity: The effect of Jesus' speech to the people results in their acceptance of John's baptism! There is no need to mention the devices to which the critics have resorted in order to get rid of these verses, in one manner or another. All these devices are of no avail, for the very simple reason that the terms in which those are described who accepted John's baptism ("all the people . . . and the publicans") and those who rejected it ("the Pharisees and lawyers") are, for all practical purposes,

identical with the terms in which the followers of Jesus and his opponents are elsewhere described. Thus, for example, we read in Luke xv, 1-2: "Then drew near unto him all the publicans and sinners¹ for to hear him. And the Pharisees and the scribes murmured. . . ." And again in v, 29: "and there was a large company (*ochlos*) of publicans and of others that sat down with them. But their scribes and Pharisees murmured against his disciples. . . ." Surely the two "obnoxious" verses form a fitting conclusion to Jesus' speech (I shall discuss the contents of it in a wider connection later), describing its effect upon his listeners. Would anybody find a difficulty in these verses if the words, "being baptised with the baptism of John" and "not being baptised of him," had not been included in them? However, they are included!

But let us consider, on the other hand, the meticulous care taken by Luke to impress upon his readers the notion that this "baptism of John" has nothing to do with John the Baptist himself. John, in fact, is in prison, away from the scene of Jesus' speech, and his two disciples, whom he had sent to Jesus, have already left. What conclusion then can be drawn from this text of Luke vii, 29-30? I submit, the only conclusion is that, since the expression, "baptism of John," is dissociated from the person of John the Baptist himself and is applied to describe the manner in which the conversion of the people after Jesus' speech took place, this expression is used as a kind of symbol to signify the religious status of Jesus' followers during his lifetime. The characteristic feature of this status is that the believers in Jesus were not as yet partakers of the Holy Ghost. The symbolic expression, "John's baptism," would thus denote the non-charismatic Christians, and, since the Hebrew Christians, members of the Jerusalem Church and their followers, were such Christians, this expression was used in Acts xix in reference to the group of the Hebrew Christian disciples in Ephesus. There is thus no contradiction in the text of Acts as soon as we recognise the meaning of the terms used in it. Support for this symbolic use of the expression, "John's baptism," can be found in Acts I. Here Jesus' words to the disciples are quoted: "For John truly baptised with water; but ye shall be baptised with the Holy Ghost not many days hence." According to Acts II, the disciples received the Holy Ghost on the day of Pentecost; but what was their religious situation until that day? They were Christians, followers of Jesus (not disciples of John), but without the gift of the Holy Ghost; they were non-charismatic Christians. Now, do not Jesus' words, quoted above, allude precisely to their situation in stating that John baptised with water? Why should John's baptism be mentioned here, unless in order to refer to the present religious situation of the disciples which will be changed with the gift of the Holy Ghost? The situation of

¹ This expression is, as has been rightly suggested, equivalent to 'am ha'ares, the people, as distinguished from the Pharisees.

Jesus' disciples before the day of Pentecost is thus perfectly analogous to that of the disciples in Ephesus before they were converted by Paul and received the Holy Ghost. It is in both cases referred to directly or indirectly in the symbolic expression, "John's baptism."

If the line of reasoning so far pursued is correct, we have come across an important feature of Luke's historiographical method, namely his use of proper names as symbols to describe an "historical category." The growth of the Christian faith from Jesus' immediate disciples and followers to the Hebrew Christian Church in Jerusalem, which was under the guidance of these disciples, and finally to the Jewish Christian sect of the Ebionites (to mention only the direction of growth with which these studies are directly concerned—the other direction passes through Paul), is a continual process of historical development, passing through different and almost imperceptible phases. It is possible, however, to disregard these single phases and fix our minds upon a feature or a property which all of them have in common; but by doing so we form a logical concept and convert the dynamic process of historical development into an "historical category." Now, the property common to all the phases of that direction of Christianity with which we are concerned here is that it is non-charismatic Christianity. Luke obviously operates with such logical concepts and he conceives the non-charismatic Christianity as an "historical category," which he expresses through the symbol of "John's baptism."

It is obvious that the evidence so far discussed in this study is barely sufficient to establish fully the conclusion concerning Luke's historiographical method—a conclusion that may have far-reaching consequences and determine a different approach to the study of Luke, and not of Luke only but of the other three Evangelists also. This conclusion, therefore, should be regarded as yet only as a "working hypothesis," the validity of which must be tested through its application to the interpretation of the Gospels, particularly in regard to the accounts relating to John the Baptist which are a major concern of these studies. But before proceeding to this task, it is necessary to ascertain that Luke did in fact make use of "historical categories" apart from the instance of the episode of the disciples at Ephesus that has been discussed above.

Another clear instance of an "historical category" used by Luke can be found in Acts in the accounts of the persecution of the Christians. The expressions used to indicate the Church vary: in chapter viii, 1, it is "the church which was at Jerusalem"; in ix, 1, it is "the disciples of the Lord" in Damascus; "this way" in xxii, 1, and, again, "the saints" in xxvi, 10. But it is significant that, in the vision which Paul saw on the road to Damascus, it was Jesus who appeared to him and said in the Hebrew tongue: "Saul, Saul, why persecutest thou me?" (Acts xxvi, 14). It is obvious that Jesus stands

here for the Church ; his name is the symbol signifying the Church. The Church is here an "historical category" referred to by the symbol of Jesus.

It is very important to establish whether the use of "historical categories" in early Christianity originated with Luke and was restricted to him. The Habakkuk Scroll offers decisive evidence in this respect. The explanation of verse ii, 15, of the prophet reads as follows (col. xi, 4-8):

פִּשְׁרוֹ עַל הַכוּחַן הַרְשַׁע אֲשֶׁר ׀ רָדַף אַחֵר מוֹרֵה הַצֶּדֶק לִבְלַעַו בְּכַעַם ׀
חַמְתּוֹ אֲבִית נִלּוּתוֹ וּבִקֵּץ מוֹעֵד מְנוּחָת ׀ יוֹם הַכְּפוּרִים הוֹפִיעַ אֱלִידֵם לִבְלַעַם ׀
לִכְשִׁילֵם בְּיוֹם צוֹם שַׁבַּת מְנוּחָתָם.

This passage forms a real *crux interpretum* and has given rise to a great variety of wild speculations concerning the origin of the Dead Sea Scrolls—all of which are based upon a straightforward mistranslation of the Hebrew text. I shall deal with this matter more fully when I publish an interpretation of the Habakkuk Scroll, and I must limit myself here to a correct rendering of the passage, which is based on the identification of the *moreh ha-šedeq* with Jesus and the *kohen ha-rasha'* with Paul. The rendering offered here is, incidentally, a validity test of the theory of Jewish Christian origin of the Dead Sea Scrolls.

The English rendering of the passage of Habakkuk Scroll, dealing with Hab. ii, 15, should read as follows:

Its meaning concerns the Wicked Priest [*i.e.*, Paul], who persecuted the True Teacher [*i.e.*, Jesus] in his place of exile [*i.e.*, Damascus] in order to destroy him in burning wrath, and appeared before them [*i.e.*, the Hebrew Christians] at the period of the Solemn Feast, the Day of Atonement and Rest, in order to destroy them by inducing them to sin on that Day of Fasting, the Day of their sabbatical rest.

There are in this passage two clear references to Paul's activity. First, Paul is described here as having persecuted Jesus in his place of exile, that is to say, the Christians in Damascus (their place of exile from Jerusalem). The Habakkuk Scroll, it may be incidentally remarked, has preserved the tradition of the actual words of Jesus spoken to Paul in the Hebrew tongue. Secondly, Paul is described as having attempted to induce the Hebrew Christians in Jerusalem to commit a heinous sin in connection with the Day of Atonement. It is enough to recall the *leitmotif* of the Epistle to the Hebrews, namely, that the sacrifice of Christ on the cross superseded the expiatory rite of *yom hakipurim*, in order to realise that the passage in the Habakkuk Scroll, with its insistence on the Day of Atonement and the horrific sin that the Hebrew Christian community was induced to commit on that day—a sin that would have destroyed their souls, can only refer in the context to Paul's attempt to impose on the Hebrew Christians his conception that the biblical laws had

been superseded and that the sacrifice of Christ is a substitution for *yom hakipurim*. The Epistle to the Hebrews is probably not Pauline in its present form, but can it be denied that its main leading idea is Pauline, and only Pauline? It is Paul, and only Paul, who also preached in I Cor. v, 7-8 that the sacrifice of Christ superseded the Jewish Passover:

Purge out therefore the old leaven, that we may be a new lump, as ye are unleavened. For even Christ our passover is sacrificed for us;

Therefore let us keep the feast, not with old leaven, neither with the leaven of malice and wickedness; but with the unleavened bread of sincerity and truth.

But all these matters will be better discussed in their proper place later. For our present purpose it is sufficient to notice that the Habakkuk Scroll uses Jesus, under the designation of the True Teacher, as the symbol for the Christian community or Church, exactly in the same manner as the author of Acts. Since the Habakkuk Scroll was written by a Hebrew Christian in Jerusalem before the destruction of the City in 70 C.E.,¹ it is evident that this usage did not originate with Luke and was not limited to him.

But what does it mean exactly that Jesus is the symbol of the Church?

(To be continued)

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¹ See my essay, *The Damascus Fragments and the Origin of the Jewish Christian Sect* in *JJS*, II (1951), p. 131f.

THE ARISTOTELEAN SYLLOGISM AND THE QAL WA-HOMER

Adolf Schwarz, in his well-known work, *Der Hermeneutische Syllogismus in der Talmudischen Litteratur*,¹ suggests in the title and develops in the work itself the idea that the Talmudic hermeneutic mode of *qal wa-homer* is identical with the Aristotelean Syllogism. It will be shown here that not only is there no connection between the two forms of reasoning but that an analogy to the Syllogism is found in the Talmudic literature as something quite different from the *qal wa-homer*. The refutation of Schwarz's view is important because all too many scholars uncritically follow Schwarz in his identification.³

Before commencing our investigation it is necessary to state that there are two kinds of *qal wa-homer*—which I propose to call the simple and the complex. The simple *qal wa-homer* is a plain argument *de minore ad majus*, in which the severity of the major over the minor is self-evident. The complex *qal wa-homer* is one in which this severity has to be proved by reference to external factors. The simple *qal wa-homer* has a long history—its use is traced by the Midrash⁴ to the Bible itself, as, for example, in the verse: "Behold, the money, which we found in our sack's mouth, we brought again unto thee out of the land of Canaan: how then should we steal out of thy lord's house silver or gold?" (Gen. xlv, 8).⁵ The complex *qal wa-homer* is of later halachic

¹ *Der Hermeneutische Syllogismus in der Talmudischen Litteratur, Ein Beitrag Zur Geschichte Der Logik Im Morgenlande*, Karlsruhe, 1901.

² According to SCHWARZ, the correct reading is *qol*, a reading found in a number of important Mss. (*op. cit.*, pp. 8-14).

³ In 'Osar Yisrael, for example, SCHWARZ's view is quoted with apparent approval, s.v. קל וחומר.

⁴ Gen. R. 92, 7, in which it is said that there are ten *qal wa-homerin* in the Torah, cf. *Yalqut, Samuel* i, 132. The ten *qal wa-homerin* are: Gen. xlv, 8; Ex. vi, 12; Deut. xxxi, 27; Num. xii, 14 (not explicit in the verse, but see B.q. 25a); Jer. xii, 5; Jer., *ibid.*; I Sam. xxiii, 3; Prov. xi, 31; Esther ix, 12; Ezek. xv, 5. The commentaries state that far more than ten are to be found; see the learned discussion in H. HIRSCHENSOHN'S *Beure Ha-middoth*, Jerusalem, 1939, pp. 39-60, and the bibliography given in H. L. STRACK'S *Introduction to the Talmud and Midrash*, E.T., Philadelphia, 1945, p. 285, n. 3.

⁵ A simple *qal wa-homer* of this kind occurs in the *Mishnah*, 'Abhoth, I, 5: "They said this (and talk not much with womankind) in regard to a man's own wife: how much more (*qal wa-homer*) in regard to his fellow's wife!" This may be the earliest reference in rabbinic literature to the *qal wa-homer*, occurring as it does in a saying of Jose ben Johanan of Jerusalem (c. 160 B.C.E.), but the highly plausible suggestion has been made that the *qal wa-homer* does not belong to Jose's saying but is a later editorial addition, v. SCHWARZ, *op. cit.*, p. 11. DAVID DAUBE, in his article, *Rabbinic Methods of Interpretation and Hellenistic Rhetoric*, in *HUCA*, vol. xxii, 1949, p. 239f., points to the use of the *qal wa-homer* in Matthew xii, 10ff., Luke xiii, 14ff., and Romans v, 8ff., and remarks that these are of a more "legal" nature than those found in the O.T. They are, however, all examples of what I have called "simple" *qal wa-homer*. Cf. *Foundations of Rabbinic Judaism*, by ALEXANDER GUTTMANN, in *HUCA*, vol. xxiii, 1950-51, 75th Anniversary Publication, Pt. I, pp. 453-473.

origin and is found in a Baraitha,¹ for example, as follows²: "If priests who are not disqualified for service in the Temple by age are yet disqualified by bodily blemishes³ then Levites who are disqualified by age⁴ should certainly be disqualified by bodily blemishes." There is no possibility here of a simple inference from priests to Levites since the "severity" of the latter is not self-evident. But this "severity" can be proved by referring to the factor of disqualification by age, which operates in the case of Levites and not in the case of priests, and which proves that Levites are more readily to be excluded from Temple service than priests. Hence, it is argued, where priests are excluded Levites should certainly be excluded.

Symbolically the two types of *qal wa-homer* may be represented as follows:

Simple: If *A* has *X* then *B* certainly has *X*.

Complex: If *A*, which lacks *Y*, has *X* then *B*, which has *Y*, certainly has *X*.

Of the two types of *qal wa-homer* it is the simple one which has affinities with the Syllogism in that both the simple *qal wa-homer* and the Syllogism draw their conclusion from a major and minor premise without having recourse to any external factors. The complex *qal wa-homer* is, as we have noted, of late origin and appears to be an halachic-methodological development from the simple one found in the Bible. And this in itself is a valid refutation of Schwarz's view, for the Pentateuch and the other parts of the Bible in which this argument appears can hardly have been influenced by Aristotelean logic. But apart from this, a careful examination of the two methods will convince us that the *qal wa-homer* and the Syllogism are not identical.

For the purpose of comparison let us set side by side a Syllogism in *Barbara* with a simple *qal wa-homer* as used in the Mishnah.⁵

Syllogism:

All men are mortal
Socrates is a man
Therefore Socrates is mortal.

Qal wa-homer:

If then in regard to such a light precept (*i.e.*, the law of sending away the dam—Deut. xxii, 6, 7) which concerns a matter that is worth but an *issar* the Law has said *that it may be well with thee and that thou mayest prolong thy days*, how much more so in regard to the weightier precepts of the Law!

It can be seen at once that there are two fundamental differences

¹ A similar form is found in the *Mishnah B.Q.*, II, 5.

² *Hul.*, 24a.

³ Lev. xxi, 16ff.

⁴ Num. iv, 23; viii, 24.

⁵ *Hul.*, xii, 5.

between these two forms of reasoning, so fundamental that they prevent us from claiming that they are identical. First, there is the obvious point that the element of "how much more so" is lacking in the Syllogism. Modern logicians have been at pains to criticise the Syllogism as being tautologous—we can only say "*all men are mortal*" if we know that Socrates too is mortal, and if we know this there is no need for the Syllogistic inference.¹ This objection cannot be levelled against the *qal wa-homer*. Observation informs us that the reward of long life is promised for the carrying out of the light precept but observation has nothing to tell us about the reward for carrying out the weighty precept. This must be derived by using the mode of *qal wa-homer*.

A weightier difference, and one which finally disposes of Schwarz's viewpoint, has been noted by Arnold Kunst in an important study in which the *qal wa-homer* is compared to an analogous form of Indian inference known as *kimpunar*.² Kunst remarks³: "The mistake (in Schwarz's reasoning) is that the Aristotelean Syllogism, which deals only with *names*, involves the reference between the subject and the predicate, whereby the relation between the minor and major premises is the relation of the species to the genus, both being nothing but names, whilst *kimpunar* and *qal wa-homer* deal with *sentences*." If I understand him correctly, what Kunst is saying is that in the Syllogism the inference concerns the relationship between genus and species; we are saying that seeing that Socrates belongs to the class *man* then he must share the characteristics of that class. Whereas in the *qal wa-homer* inference we do not say that a weighty precept belongs to the class *light precepts*; it obviously does not. We say that what is true of light precepts is true of weighty precepts.⁴

It is now our task to demonstrate that in fact an analogous

¹ See L. S. STEBBING, *A Modern Introduction to Logic*, London, 1945, p. 216ff., and the attack on the traditional Logicians with regard to the *a fortiori* argument, pp. 173-174.

² *An Overlooked Type of Inference* in *Bulletin of the School of Oriental and African Studies*, vol. x, Part 4, 1942, pp. 976-991.

³ P. 987.

⁴ KUNST remarks (p. 991) with reference to the analogy to Indian logic: "Whether the similarity of this inferential procedure between the Jews and the Indians was a result of mutual influence, or whether it was only an expression of a common human tendency to eulogise great things by comparing them with smaller, or to raise the value of small things by juxtaposing them with greater—this problem may be left to further historical researches. The author would vote for the latter alternative." And indeed the latter alternative does appear to be the more plausible one. It is, however, of interest in this connection that we do find, in quite another sphere, a remarkable parallel between Jewish and Indian law. All land in both Palestine and Babylon was divided, during the talmudic period, into three grades, excellent, mediocre, and bad arable land, *יִדְיָה*, *בְּיִנְיָה* and *יִדְיָה*, *Mish. Gitt.* v, 1, *B.Q.*, 7b, 8a-b, and frequently elsewhere. HEICHELHEIM has noted that this grading existed in Hellenistic India, as evidenced by the Arthashastra of Kautilya, a voluminous Indian guide to state administration, discovered in 1905, and this unique division is not found in general Hellenistic administration, see *Economic History*, 1938, p. 10, n. 27, and *Cambridge Ancient History*, vol. vii, p. 897.

mode to the Syllogism is used in the Talmudic Literature but it is not a *qal wa-homer*. This mode is found frequently when the Talmud attempts to show that a given case falls under the heading of a more general principle. A good example of this occurs in the passage¹ in which it is stated that all authorities agree that the benediction over the search for leaven before Passover must be recited before this religious duty is carried out, not afterwards. The Gemara asks: "How do we know this?" To which the answer is given: "Because Rabbi Judah said that Samuel said: 'In the performance of all religious ceremonies one must say the benediction over them before performing them.'"² This is a clear example of Talmudic use of the Syllogism. To put the argument in Syllogistic form:

All religious ceremonies require their benediction to be said before them.

The search for leaven is a religious ceremony.

Therefore the search for leaven requires its benediction to be said before it.

To sum up. The simple *qal wa-homer* is certainly, at least in its Biblical form, more ancient than the Aristotelean Syllogism. Apart from this, the two are different in form and content. The *qal wa-homer* is based on the proof *de minore ad majus* and this element is absent in the Syllogism. The Syllogism deals only with *names*, with propositions, the predicates of which are the genus of the species or subject. The *qal wa-homer*, on the other hand, deals with *sentences*, and does not deal with classes and with mutual relations of those classes. Consequently, the *qal wa-homer* and the Syllogism are not identical. Finally, there is a form of Talmudic reasoning which has no connection with the *qal wa-homer*³ but bears a remarkable affinity to the Syllogism.

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¹ *Pes.*, 7b.

² For further examples of this see *B.Q.*, 61a; *Keth.*, 10b; *Hul.*, 59a-b; *Qidd.*, 11a; *B.M.*, 35a, 42a, and very freq. See especially in this connection the frequent use of the word דרך to include new cases, e.g., in *Hul.*, 2b-3b, and the expression הכל לאחריו 'Arak., 2a-3b, *Tem.*, 2a.

³ In support of the distinction between the כל or דרך formula, which is identical with the Syllogism, and the *qal wa-homer*, which has no connection with it, we may quote the following well-known Baraita (*'Aboth*, vi, 3): "He who learns from his fellow a single chapter, a single rule, a single verse, a single expression, or even a single letter, ought to pay him honour, for so we find with King David, King of Israel. . . . Now is it not an argument from minor to major (*qal wa-homer*)? If David, the King of Israel . . . how much more ought one who learns from his fellow . . . to pay him honour." Here the method of *qal wa-homer* is used in order to establish the truth of the statement: "he who learns from his fellow . . ." and then this statement becomes the major premise in a Syllogism so that the reader says (such are the implications of the Baraita) something on these lines:

"He who learns from his fellow has to pay him honour."

"I have learned from my fellow."

"Therefore I am obliged to pay him honour."

THE "LAW-INTERPRETER" OF THE SECT OF THE DEAD SEA SCROLLS : THE SECOND MOSES

What is the eschatological rôle of the sectarian leader who is mentioned twice in the Damascus Fragments¹ and bears the title דורש התורה, "Interpreter of the Law" ?

That his rôle is of an eschatological nature, is beyond question. We have only to bear in mind that his advent was predicted in the Pentateuch and by the prophets Isaiah and Amos. This is explicitly claimed by the Damascus document² ; but no explicit information is contained in that document concerning his rôle.

The opinion which identifies the "Interpreter" with the Messiah³ is untenable in view of the fact, stated expressly in the Damascus Fragments, that the "Interpreter of the Law" came to Damascus.⁴ He is a figure living and acting in the present, not the object of future expectations. The present is "the period of wickedness" (קץ הרשעה) which, according to the historiographical scheme of the sect, precedes the messianic age (אחרית הימים) to be inaugurated with the coming of the Messiah. At the time when the Damascus document was composed the coming of the Messiah was still expected.

To find the answer to our question, it will be advantageous to examine first the two passages in which reference is made to the "Interpreter of the Law." In both passages he is mentioned in connection with interpretations of biblical verses. We shall, therefore, devote our attention to the exegetical background of these interpretations in order to discover the clue that may help us to determine the rôle assigned to the sectarian leader in question.

The elucidation of the method of biblical exegesis in the Damascus Fragments is of importance in itself, since it was judged to be "foolish and without the remotest parallel even in the freest rabbinic Haggadah."⁵

I

The author of the Damascus Fragments (p. 6, 3ff.) finds the

¹ Ed. SCHECHTER, pp. 6, 7; 7, 18.

² Pp. 6, 3ff.; 7, 18-19. These passages will be discussed in detail in this study.

³ See SCHECHTER (*Zadokite Work*, XIII) and others.

⁴ Pp. 7, 18-19.

⁵ BÜCHLER, *JQR*, N.S. III, 1912-13, p. 457.

history of the sect forecast in Num. xxi, 18, to which he gives the following interpretation:

The "well" is the Law, and they who digged it are the penitents of Israel who went forth out of the land of Judah and sojourned in the land of Damascus, all of whom God called princes. . . . And the word *mehoqeq* refers to the Interpreter of the Law in regard to whom Isaiah (liv, 16) said: *He bringeth forth a vessel for His work.*

הבאר היא התורה וחופריה הם
שבי ישראל היוצאים מארץ
יהודה ויגורו בארץ דמשק
אשר קרא אל את כולם שרים
. . . והמחוקק הוא דורש
התורה אשר אמר ישעיה מוציא
כלי למעשהו

Before dealing with our main subject, it may perhaps not be superfluous to make a few observations on the symbolism of the "well" in the Fragments, rabbinic literature and Philo.

The basis for the association of "well" with Torah is readily accounted for; and there is no need to resort—as has been recently suggested—to involved hermeneutic devices, according to which the association derives from the fact that "the same Hebrew letters which spell *well* (באר) can also mean *explain* as they are employed in Deuteronomy i, 5: "Moses began to *explain* this Law (or Torah)."¹

The association is not formal, but symbolic and stems from the well-known identification of the Torah with "living water" or "water."² The Torah is for the rabbis a "well of living water" (באר מים חיים) and so is "wisdom" (=Torah) for Philo, to which he refers as "that never-failing well,"³ "that divine spring."⁴ This symbolism is reflected in numerous *aggadoth*,⁵ and it has found its most explicit expression in the Targum on the Song of Songs iv, 15: "Thou art a fountain of gardens, a well of living water":

. . . because they are occupied
with the words of the Torah
which are compared to a well
of living water.

בנין דאינון עסקין בפסגמי
אוריתא דמתילין לבירא דמיין
חייך.

1 WILLIAM H. BROWNLEE, *Biblical Interpretations among the Sectaries of the Dead Sea Scrolls* in *The Biblical Archaeologist*, xiv (1951), p. 56.

2 Cf. *Sifre Deut.* 48 (ed. FRIEDMANN, 84a=*Midrash Tannaim*, p. 42). For further references see H. MALTER's edition of *B. Ta'anith*, p. 19, note 24, and ISAIAK HEINEMANN, *Altjüdische Allegoristik*, pp. 31-32.

3 *De Posteritate Caini*, 136.

4 *Ibid.*, 137. Cf. HANS LEWY, *Sobria Ebrietas*, Giessen, 1929, p. 9; HANS LEISEGANG, *Der Heilige Geist*, p. 84ff. The Odes of Solomon also equate "Water of Life" with "Water of Wisdom" (see HARRIS AND MINGANA, *The Odes and Psalms of Solomon*, p. 235f.). Cf. further GEO WIDENGREN, *Mesopotamian Elements in Manichaeism*, Uppsala, 1946, pp. 144-145. As to the New Testament, see John iv, 10ff.; vii, 38; Rev. vii, 17; xxi, 6; xxii, 17. Cf. also R. BULTMANN, *Das Evangelium des Johannes*, 1950, pp. 132ff.

5 Cf. note 2. See further *Gen. R.* 64, 8 (ed. THEODOR-ALBECK, pp. 707-708); *Midrash Haggadol* on Genesis (ed. M. MARGULIES, Jerusalem, 1947), p. 454.

That such was the basis for the equation well = Torah, is clearly demonstrated by the Fragments themselves. In a subsequent passage the author refers again to the same "well" which was dug in Damascus, and calls it expressly "the well of living waters":

So are all the men who entered into the New Covenant in the land of Damascus and yet turned backward and acted treacherously and departed from the well of living waters.¹

How deeply the identification of Torah with water was rooted in the mind of the author, may be seen from the fact that he coined the expression **מימי כזב**, "waters 'of deceit'"² to denote "false doctrines," "heresies." The expression is an antithesis to "living waters" and was evoked by it. There is no justification whatever for Charles' emendation, **מאמרי כזב**, "lying words."³ The expression is most fittingly chosen; it is inspired by the biblical *'akhzabh*, *deceitful brook*, which dries up during the summer, and by the *pi'el* of *kzbbh*, used of spring waters that fail and disappoint by drying up.⁴

Just as the author of the Fragments shares with the rabbis the tradition which equates "well" with "Torah," he likewise shares with them the allegoristic interpretation of "well" in Num. xxi, 17.⁵ There seems to have been a favourite aggadic fashion to allegorise in the same manner the wells mentioned in the Pentateuch, especially those in the stories of the patriarchs.

According to an anonymous *aggadah* the well *Shibh'ah* (Gen. xxvi, 33) typifies the Law.⁶ The five wells which Isaac dug symbolise—according to another Midrash—the five books of Moses.⁷ Jacob's well, too, was associated with the Law.⁸ The Palestinian R. Yohanan b. Nappaha pursued this allegoristic practice to the limit. He related all forty-eight occurrences of the word "well" in the entire Bible to the Law.⁹:

R. Yohanan said: The word "well" is found in Scripture forty-eight times, corresponding to the forty-eight qualifications by which knowledge of the Torah is acquired; as Scripture says: *A fountain of gardens, a well of living waters.*

אמר ר' יוחנן ארבעים ושמונה
פעמים כתוב בתורה באר כננד
ארבעים ושמונה דברים שנקנה
בם התורה¹⁰ הה"ד מעין גנים
באר מים חיים.

¹ P. 19, 33-34.

² P. 1, 15.

³ See his *Apocrypha and Pseudepigrapha of the O.T.*, II, p. 801, note 10.

⁴ Cf. Jer. xv, 18; Is. lviii, 11.

⁵ See L. GINZBERG, *Eine Unbekannte jüdische Sekte*, MGWJ, 1914, p. 149.

⁶ *Midrash Haggadol*, p. 454.

⁷ Gen. R., 64, 8 (ed. THEODOR-ALBECK, 707).

⁸ Cf. J. MANN, *The Bible as Read and Preached in the Old Synagogue*, 1940, p. 318 (Heb. part): והנה באר בשדה, באר זו תורה שכתוב בה באר מים חיים.

⁹ *Cant. R.* on iv, 15.

¹⁰ *Pereq Qinyan Torah*, 6.

Not only the rabbis. As already mentioned, Philo identified "well" with "Wisdom-Torah" and also allegorised "well" in the patriarchal narratives.¹ Of special interest is the fact that, like the Midrash and the Damascus Fragments, he interpreted allegorically also the well in Num. xxi, 16f.: "Again Moses leads the song at the well, and this time his theme is . . . wisdom, which he likens to a well. . . ."²

All this offers ample evidence that the sectarian equation of "well" with Torah is rooted in Jewish tradition, both the equation itself as well as its application to Num. xxi, 17.

II

We turn now to the examination of the last paragraph of the quotation from the Damascus document, referred to previously, which is our main concern.

According to the sectarian exegete the word *mehoqueq* is to be rendered *the Interpreter of the Law* and the verse contains—according to him—a predictive allusion to the supreme teacher of the sect, whose interpretations are to be regarded as authoritative and binding until the beginning of "the final days" (אחרית הימים).³

Now, for the purpose of our paper it is of great importance to note that the title *mehoqueq* bestowed here upon the supreme teacher of the sect was applied by Jewish tradition,⁴ as well as by the Samaritans,⁵ to Moses.

The author of the Damascus Fragments proceeds to claim that also the phrase from Isaiah: *He bringeth forth a vessel for His work* represents a reference to the supreme teacher. The reference lies in the word *keli*, vessel. Again, it is significant that this term,⁶ as well as its equivalent *qanqan*,⁷ was applied by the rabbis as a figurative designation of Moses, who was the *vessel*, i.e., the intermediary of the divine revelations.

Thus far concerning the proof-text from Isaiah actually quoted in the Damascus document itself. But we have to go further than that. We may assume with certainty that the sectarian expositor intended to refer to the whole context of the Isaiah phrase. Every student of the Midrash is familiar with the fact that a biblical phrase adduced as proof is often incompletely

¹ *De fuga atque invent.*, 195; *De post. Caini*, 136, 139.

² *De Ebrietate*, 112.

³ P. 6, 10-11.

⁴ ONKELOS and PSEUDO-JONATHAN, Deut. xxxiii, 21; *Sifre Deut.* 355 (ed. FRIEDMANN, p. 147a).

⁵ See M. GASTER, *The Asatir*, London, 1927, xii, 22, and p. 318, note 22.

⁶ Cf. L. GINZBERG, *MGWJ*, 1912, p. 38. For other references see I. LEWY, *Ein Wort über die Mechilta d. R. Simon* (*Bericht d. jüd.-theolog. Seminars*, Breslau, 1889), p. 38, note.

⁷ *Qohaleth R.* to vii, 28: מלמד . . . החורר וזו החורר, ד"א אדם זה משה שבא לאלף דור ואשה זו החורר, . . . מלמד . . . שצפה דקב"ה בכל דקנקנים ולא מצא קנקן וזוהו מקנקנו של משה . . .

quoted and must be supplemented by taking into account the phrase (or verse) immediately preceding or following it, and sometimes both. This is, in our view, also the case here. The expositor did not use the words: *He bringeth forth a vessel for His work* as a disjointed phrase, but in conjunction with its immediate context, which he also interpreted allegorically: "*Behold, I have created the craftsman (harash) that bloweth the fire of coals.*" The metaphors contained in this sentence are, as will be shown presently, fitting descriptions of the sectarian "Interpreter of the Law."

It is highly probable that the word *harash*, *craftsman*, originally stimulated the expositor to interpret the whole verse messianically. *Harash* is the title of an eschatological figure. A tannaitic tradition identifies the "four craftsmen" (ארבעה חרשים) in the vision of Zechariah (ii, 3) with the four messianic figures: Messiah ben David, Messiah ben Joseph, Elijah, and Melchizedeq.¹ The last two are, according to this version of the *aggadah*,² the two precursors of the Messiah. This identification naturally reflects a definite messianic conception. We may assume that the identification varied with different groups and individuals. According to the messianic conception of the sect of the Dead Sea Scrolls, to be discussed later,³ the four figures would be: the two Messiahs, the second Moses, and Elijah.

Be this as it may; at any rate the word *harashim* was taken to be an allusion to personalities of an eschatological nature, the Messiahs and their forerunners, whatever their identity may be. It was this eschatological connotation of *harash* that the expositor had in mind when he applied the Isaiah verse to the "Law-interpreter" of the sect. Since the latter is not identical with the Messiah, as has been pointed out above, he must be his precursor.

The word *harash* bears yet another figurative connotation, referring to a *man of great learning*, a *supreme teacher of the Law*.⁴ This connotation, too, fits admirably the sectarian "Interpreter of the Law."

¹ *Succah*, 52b; *Elijahu Rabba*, xviii (ed. FRIEDMANN, p. 96). Cf. the exhaustive treatment of the sources in FRIEDMANN's introduction, pp. 8-9; *Pesiqa Rabbati*, 75a, note 92. See also L. GINZBERG, *MGWJ*, 1914, 418ff.; V. APTOWITZER, *MGWJ*, 1926, pp. 111-112; J. MANN, *The Bible as Read*, etc., p. 113 (Heb. part).

² See the sources in the preceding note.

³ See p. 168.

⁴ Cf. *Git.*, 88a; *Sanh.*, 38a; *Lev. R.*, xi, 7. For further sources see L. GINZBERG, *Legends of the Jews*, VI, 379-380. It should be noted that the etymology of the word *harash* given in the sources is of midrashic-homiletical character, and the meaning of *eminent teacher* does not derive from it. The semantic development from *skilled in handicraft* to *skilled in learning* is, however, quite natural. This transition of meaning has actually taken place in Aramaic, where the term נגר—the counterpart of the Hebrew noun under consideration (see ONKELOS and Ps.-JONATHAN to Ex. xxxv, 35, and *Targum* to Is. xl, 19-20)—bears in fact the secondary connotation of *great scholar*, cf. the proverbial phrase to characterise an insoluble difficulty: לית נגר בר נגר דיפקיניה ('*Abhodah Zara*, 50b).

The *harash* is said to *blow fire of coals*. In the language of rabbinic symbolism this signifies *teaching and expounding of the Torah*. "Fire" as a symbolic description of the Torah is a favourite aggadic motif and occurs frequently in talmudic-midrashic literature.¹ Moreover, the symbolism is appropriate to the last detail: *coals*; the words of the Sages are indeed likened to "*coals of fire*."² "To blow fire" is thus a picturesque idiom for teaching and expounding the Torah. It should be noted that the verb *to blow* bears already in the Bible the metaphorical meaning of *to speak*, to *utter*.³

From the single elements of the metaphor let us pass to the consideration of the metaphor as a whole. Its way of depicting the scholar who teaches and expounds the Law as "blowing fire," is strikingly illuminated by a parallel in the Talmud.⁴ The Palestinian Amora R. Yohanan bar Nappaha (d. 279) describes the halakhic discussions between the Patriarch R. Judah I, the compiler of the Mishnah, and Rab, the prominent Babylonian Amora, founder of the academy in Sura, in the following manner: "*Sparks of fire* were issuing from the mouth of Rab to the mouth of the Patriarch and from the mouth of the Patriarch to the mouth of Rab."

The same metaphorical description occurs in yet another talmudic passage. This example shows very clearly that the metaphor was intended as a characterisation of the great, outstanding scholar only. R. Zera relates how the departed R. Jose b. Hanina appeared to him in a dream and told him of the seating arrangements in the Heavenly Academy for various deceased scholars. He learned to his consternation that R. Yohanan bar Nappaha was not allocated a seat next to R. Hiyya, and asked: "Is not R. Yohanan worthy to sit next to R. Hiyya?" Whereupon R. Jose replied: "Who could allow Bar Nappaha to enter the region of *fiery sparks and flaming torches*?" באתר דיוקוקין דנורא ובעורין דאשא מאן מעיל בר נפחא לחמן?

The metaphor under consideration is, however, much older than the talmudic age. The quotation from the Talmud contains the expression "flaming torch." This graphic and most effective figure of speech goes back to Ben-Sira, where it is used to describe the superlative nature of the prophet Elijah's words. Eulogising the

1 See, for example, *Mekhilta* to xix, 18 (ed. HOROVITZ-RABIN, p. 215); *Sifre Deut.*, 343 (ed. FRIEDMANN, p. 143a); 'Abhoth d'Rabbi Nathan (ed. S. SCHECHTER) version I, p. 64; *Elijahu Rabba*, ed. FRIEDMANN, p. 23. It is worth noting that the aggadic comment (*Cant. R.*, II, 5) to the effect that the Torah consists of two fires, symbolising the written and the oral Law (כסכותי באשיות, בשתי אשיות תורה שבכתב ותורה בפה), is interestingly illuminated by Simon Magus's statement that there are two kinds of fire, an *open* and a *hidden* one (cf. W. BOUSSET, *Hauptprobleme der Gnosis*, p. 230).

2 'Abhoth, II, 10.

3 Cf. Prov. vi, 19; xiv, 25 (in both places rendered by Targum כלל).

4 *Hulin*, 137b.

5 *Baba Mes.*, 85b.

prophet, Ben-Sira says,¹ according to the Greek version,² as follows: "Until there arose a prophet like fire, whose words were like a *burning torch*."

Finally, we may draw attention to another important source which offers a striking parallel to the imagery of fire proceeding from the mouth of inspired men. We refer to the sixth vision in the Ezra Apocalypse (IV Ezra), the Vision of the Man from the Sea.³ The most interesting feature with which "the Man" (=Messiah) is invested is that *a stream of fire was coming forth from his mouth, a flaming breath from his lips and a storm of sparks⁴ from his tongue*.

In the interpretation of the Vision the fiery stream is allegorised to represent the Law "which is compared to fire."

To sum up: We have seen that the words of inspired men (the prophet, the Messiah, and outstanding teachers of the Law) are

¹ Chap. xlviii, 1.

² The Hebrew text has: כְּתוּר בּוֹר, like a burning furnace. Students of Ecclesiasticus agree in considering the Greek text not authentic. They reject it not on account of any inherent fault, linguistic, logical, or otherwise. Preference is given to the Hebrew text because כְּתוּר בּוֹר is a biblical phrase (Mal. iii, 19). But while there is agreement in preferring the Hebrew text, scholars differ in their explanation of how the Greek translation has arisen (cf. ISRAEL LÉVY, *L'Ecclésiastique*, I, p. 134, note 1b; S. SMEND, *Die Weisheit des Jesus Sirach*; N. PETERS, *Der . . . heb. Text des Buches Eccl.* [1902], p. 271; M. Z. SEGAL, *Sefer Ben Sira Ha-shalem*, Jerusalem, 1953, p. 331). But, in view of the fact that the expression *burning torch* was in vogue in Palestine in the third century for exactly the same purpose as in Ben-Sira (namely, to refer to the superlative nature of a great man's words), we may conclude with certainty that the Greek version has preserved the original reading. The Hebrew divergence from the Greek can easily be accounted for as due to the intention of imitating the biblical idiom. Without entering here into a discussion of the authenticity of the Hebrew text of Ben-Sira in general (the discussion has recently been resumed by Professor CHARLES C. TORREY in his challenging essay: *The Hebrew of the Genizah Sirach in Alexander Marx Jubilee Volume*, New York, 1950, Eng. section, pp. 585-602), and without endorsing the theory which maintains that the Hebrew text is nothing but "a translation into biblical phrases of some translation of the original" (A. BÜCHLER, *JQR*, N.S., XIII, 1922-23, p. 320), it is quite certain that there are a large number of passages which represent but an adaptation of biblical phrases (cf. M. SEGAL, *JQR*, N.S., XV, 1934-35, p. 142). *Like a burning torch* represents the original reading, and we are inclined to see a reminiscence of it in the following Midrash (*Lev. R.*, I, 1): "When the Holy Spirit rested upon Phineas his face was like burning torches." פְּנֵים כְּשֹׁהֶדָה רַחַק הָקֹדֶשׁ שָׁרָה עָלָיו הָיוּ פָּנָיו בּוֹרִים כְּנִסְדִּים. No other biblical or non-biblical figure is described, as far as the present writer is aware of, in similar terms. It seems probable that the imagery was originally suggested by the Sirach passage. It is well known that Phineas was identified with the prophet Elijah. As a result of this identification, features, occurrences, and attributes of the one were transferred to the other. The most conspicuous of such transferences is that Elijah is described as "the son of Eleasar" (cf. V. APTOWITZER, *Die Parteipolitik der Hasmonäerzeit im rabb. u. pseudepigr. Schriftum*, p. 248). This happened also in our case: the metaphor was transferred from Elijah to Phineas. On the identification of the two, which was known, too, to several Church Fathers, see M. FRIEDMANN'S introduction to *Seder Elijahu Rabba*, pp. 6ff.; APTOWITZER, *op. cit.*, pp. 247-248 and index; S. KRAUSS, *JQR*, V, 1893, pp. 153-154; *Biblical Antiquities of Philo*, ed. M. R. JAMES, pp. 11-12, 210-211.

³ IV Ezra, xiii, 10 (CHARLES, II, p. 617).

⁴ The Syrian and Ethiopic versions read *fiery coals* instead of *sparks* (cf. B. VIOLET, *Die Ezra Apokalypse*, Leipzig, 1910, I, 372, 373, note 3). Compare this reading with the above-quoted Mishnah (*Abhoth*, II, 10), where the words of the Sages are likened to *fiery coals*.

described in terms of "fire issuing from their mouths." The same feature is ascribed by the Damascus Fragments to the "Interpreter of the Law" among the sect.

III

We shall now pass to the examination of the other passage in the Fragments in which reference is made to the "Interpreter of the Law." The interpretation of this passage reflects, as will be seen, Hellenistic and Gnostic traditions. The passage runs as follows¹:

And *kokhabh* [Am. v, 26] refers to the Interpreter of the Law who has come to Damascus, of whom Scripture says [Num. xxiv, 17]: *A kokhabh shall come forth from Jacob and a sceptre shall rise from Israel.*

והכוכב הוא דורש התורה הבא
דמשק כאשר כתוב דרך כוכב
מיעקב וקם שבט מִיִּשְׂרָאֵל.

On the basis of this sectarian Midrash it has become conventional among students of the Damascus Fragments and the Dead Sea Scrolls to refer to the "Interpreter of the Law" as *the Star*.

It is our contention that the conferment of this epithet on "the Interpreter of the Law" is based on a misunderstanding of the exegetical background of the word *kokhabh*. The term was taken by the author of the Damascus document not in its general meaning of *star*, but in its specific connotation as the name of the planet *Mercury*, called by the Greeks *Hermes*.² The latter was venerated as the God of wisdom, learning, and literature. The name *Hermes* was etymologically derived from *hermēneia*, *interpretation*, which resulted in the equation *Hermēs* = *hermēneus* (*interpreter*).³

It must be noted that this equation was, according to Professor I. Heinemann,⁴ particularly prevalent among the Gnostics.⁵ This observation is very pertinent to our present subject in view of the fact, observed by a number of scholars, that ideas and conceptions of a Gnostic nature are to be found in the Dead Sea Scrolls as well as in the Damascus Fragments (which, it is agreed, emanated from the same sectarian circles).

The same equation underlies the sectarian Midrash in the Damascus Fragments. Let us substitute the Greek terms for the

¹ P. 7, 18-19.

² Also the *Targum* seems to have taken *kokhabh* in this meaning, see J. LEVY, *Chaldäisches Wörterbuch über die Targumim*, p. 357. As to כִּיּוֹן = Saturn, cf. BDB, pp. 475-476; W. R. HARPER, *A Critical and Exegetical Comm. on Amos*, p. 140.

³ On *hermeneia* see H. A. WOLFSON, *Philo*, II, pp. 42-43; I. HEINEMANN, *Leshonenu*, xiv (1946), p. 186, note 10.

⁴ Die Lehre von d. Zweckbestimmung d. Menschen im griech.-römisch. Altertum u. im jüd. Mittelalter (Bericht des jüd.-theol. Seminars, Breslau, 1926), pp. 41-42.

⁵ It should be remembered that a large literature of theology, science, and law circulated under the name of *Hermes* (*Trismegistos*)—the so-called Hermetic literature, which is of a gnostic character.

Hebrew words and the midrashic play of words will immediately spring to the eye :

דורש התורה = כוכב

Hermēs = hermēneus tou nomou

Hermes, then, is the epithet given to the sectarian "Interpreter of the Law"—an epithet which, on the one hand, is descriptive of his interpretative function, and, on the other, represents him as the fountain-head of all wisdom and knowledge.

The chief significance of this epithet lies, however, in a different direction. Hermes was likewise the epithet given to Moses in Jewish-Hellenistic circles, already at an early date. The Jewish-Hellenistic historian of the second century B.C.E., Artapanus, who credited Moses with the invention of various arts and sciences, and according to whom Moses was the source of all Egyptian wisdom, says that Moses received the name *Hermes*.¹

Here, then, we have another attribute of Moses which was transferred to the "Interpreter of the Law" among the sect of the Dead Sea Scrolls.

In this connection the question arises : Did the designation of Moses as Hermes ever penetrate Palestinian Jewish circles, or did it remain confined to Hellenistic Jews ?

We think that the answer to this question should be in the affirmative. It is true, nowhere in rabbinic literature does one meet with this designation. And this is only natural : the rabbis must have regarded it as most objectionable to attach to Moses the name of a heathen deity. Although, we may remark *en passant*, a traditional Jew like Philo did not hesitate to ascribe to the Logos the term *Hermes*.²

However, if the designation itself is not to be found in rabbinic literature, there is a distinct trace of it. Rabbinic Judaism bestowed upon Moses the title **ספרא**, *scribe*, or **גפרא רבה**, *the great scribe*, current in the Targumim³ and also found in a tannaitic source in

¹ Cf. J. FREUDENTHAL, *Alexander Polyhistor*, p. 146; R. REITZENSTEIN, *Zwei religionsgeschichtliche Fragen*, p. 95; W. BOUSSET, *Kyrios Christos*, p. 382f.; E. R. GOODENOUGH, *By Light, Light*, pp. 7, 291; I. HEINEMANN, *op. cit.*, p. 42; S. KRAUSS, *Ha-Goren*, VII (1907), p. 29.

² Cf. EMILE BRÉHIER, *Les idées philosophiques et religieuses de Philon d'Alexandrie*, Paris, 1908, p. 107f.

³ See PSEUDO-JONATHAN on Num. xxi, 18; ONKELOS and Ps.-JONATHAN on Deut. xxxiii, 21; *Targum* on the Song of Songs, I, 2; II, 4; III, 3; Ps. lxii, 12. Cf. S. KRAUSS, *loc. cit.*, Prof. S. LIEBERMAN is mistaken when he says (*Hellenism in Jewish Palestine*, p. 82, note 274) that "כתבא רבה corresponds to רבה of the Samaritans." He refers to HEIDENHEIM, *Bibliotheca Samaritana*, II, p. 138. However, the words **כתבא רבה** do not signify "the great Scribe" but "the Great Book" and refer to the Torah. One has only to read the whole sentence to perceive this: **אין די כתבא רבה : דרוש מלכא רבה : לביה מדיין** "This is the Great Book which was handed over by the great king to the faithful prophet (Moses)." Cf. a similar sentence in Marqa's hymn for Pentecost (A. E. COWLEY, *The Samaritan Liturgy*, p. 49): **אדנו כתבא רבה דקבלה נביה רבה מן ימינה דמלכא רבה**. Indeed, the term in question (as well as **כתבא קדישא** or just **כתבא**) occur rather frequently in the Samaritan liturgy (cf. *ibid.*, pp. 49, 51, 55, 56, and *passim*).

the name of R. Eliezer b. Hyrcanus.¹ Now, "scribe" is an attribute of Hermes. In connection with the planet Hermes this occurs even in the Talmud²:

| | |
|----------------------------------|------------------------------------|
| He who was born under Hermes | האי מאן דבכוכב יהי נביר נהיר |
| will be an intelligent and wise | וחכיב ³ משום דכפרא דחמה |
| man, because Hermes is the sun's | ה"א ⁴ |
| scribe. | |

Since Moses was equated with Hermes, the latter's attribute was transferred to the former.⁵ The rabbis did not suppress its use for the simple reason that its origin had been forgotten.

Furthermore, it is not improbable that also the epithet "our teacher," which is constantly affixed to the name Moses (משה רבנו) originated in the tendency to transfer to Moses the epithets of Hermes. Justin Martyr writes⁶: The Greeks call Hermes the interpreting Logos (*logon hermēneutikon*) and the teacher of all (*pantōn didaskalon*).

So far we have seen that three epithets of Moses (Hermes, *mehoqueq* and *keli*) were conferred by the sectaries of the Dead Sea Scrolls upon their supreme teacher of the Law. Now we have to examine the expression *doresh ha-torah* itself. It appears that this is a unique expression for which no parallel can be found in rabbinic literature.⁷ However, its equivalent in Greek was in vogue among Hellenistic Jews. Again, it is significant that they employed the expression as a designation for Moses. At the beginning of his *Vita Mosis* Philo tells us that some Jews describe Moses as *the interpreter of the Holy Laws* (*hermēneōs nomōn hierōn*).

IV

It is not a mere accident that the sectarian leader is described in terms applied to Moses. This is related to the eschatological rôle

¹ *Sot.*, 13b. Cf. also the title נומיקה = *nomikos*, "scribe," "notarius" found in *Midrash Haggadol Deut.* v, 6, see about this S. LIEBERMAN, *op. cit.*, pp. 81f.

² *Shabb.*, 156a.

³ Cpr. with this expression the Greek attribute of Hermes *logios*. Also in Arabic sources Hermes bears the title *Hakim*. See I. HEINEMANN, *op. cit.*, p. 44, note 3.

⁴ Cf. M. GRUENBAUM, *Gesammelte Aufsätze zur Sprach- und Sagenkunde*, p. 443; S. KRAUSS, *op. cit.*, p. 33f. Cf. also the commentary on MAIMONIDES (*Yesode ha-Torah*, III, 1): ריש מי שקורא אותו כן ב ואומר שנקרא כך לפי שהוא מושל על דעותיהם והסופרים ודומה מולם

⁵ According to BRÉHIER (*op. cit.*, p. 19) also Philo's description of the life of Moses was influenced by the Hermes mythology.

⁶ *Apologia*, I, 21.

⁷ In tannaitic sources we find the expressions *darshan* and *doresh*. See W. BACHER, ערכי מדרש pp. 20-21; I. HEINEMANN, *Leshonenu*, XIV (1946), p. 184. L. GINZBERG (*MGWJ*, 1914, p. 175 and n. 1) already noticed that this term does not appear in rabbinic literature. He suggested, however—not without hesitation—that the term may be referred to by JOSEPHUS [*Ant.* xvii, 6, 2 (xvii, 149)], who describes Mattathias Maccabeus as *exegetes ton nomon*. But Josephus actually said that Mattathias belonged to the most celebrated *exegetai patrion nomon*; Latin version: *legis patriae interpretes* (see editions by DINDORF and B. NIESE). Josephus' expression is merely an elaboration of the Hebrew term *darshan* (or *doresh*)—the literal translation of which would have been unintelligible to the Greek reader.

of the "Interpreter of the Law": He was regarded as the second Moses.

The recent discoveries in the Qumran caves¹ have contributed much to the clarification of the rather obscure messianic conceptions of the sect. Among the fragments discovered there is a leaf of special significance for the subject under discussion. We learn from it that the sect entertained the hope for the appearance of a second Moses. The leaf contains pentateuchal verses which served as proof-texts (*testimonia*) for the sectarian messianic conception. It begins significantly with Deut. xviii, 18, which promises the rise of a prophet like unto Moses. The fragment goes to the length of reproducing the entire passage Deut. v, 25-29, which tells that God approved of the request of the Israelites that Moses should be the intermediary between them and God and teach them the divine laws.

The other proof-texts are: Num. xxiv, 15-17, and Deut. xxxiii, 8-11. These texts were obviously intended as proof for the sectarian belief in the two Messiahs, one from Israel, predicted in the phrase *and a sceptre shall rise out of Israel*, and the other from Aaron, foreshadowed by Moses in his blessing of Levi.²

From the fact that Deut. xviii, 18, was given precedence over the text from Numbers and accorded the first place in the sectarian *testimonia* one may conclude that the Moses-like prophet was expected to appear before the Messiah. This coincides with the

¹ See J. T. MILIK, *Revue Biblique*, 1953, pp. 290-291.

² It appears now to be quite certain that the sect did, in fact, believe in two Messiahs. This opinion was propounded long ago by a number of scholars on the basis of the Damascus document, where the phrase *משיח אהרן וישראל* occurs several times (12, 23; 14, 19; 19, 10; 20, 1). It was supported by the fact that the Testaments of the Twelve Patriarchs, which exhibit close affinities with the Dead Sea Scrolls (cf. now DUPONT-SOMMER, *Nouveaux Aperçus sur Les Manuscrits de la Mer Morte*, 1953, pp. 63ff.) and which is quoted in the Damascus document (4, 15), reflects the same belief (cf. G. R. BEASLEY-MURRAY, *Journal of Theological Studies*, 1947, pp. 1-12; J. M. GRINTZ, *Sinai*, 1952, pp. 31-33; cf. also DUPONT-SOMMER, *op. cit.*, p. 80). The Manual of Discipline, which mentions explicitly the Messiahs (in the plural) of Aaron and Israel (ix, 11), has greatly strengthened this view (cf. MILLAR BURROWS, *Anglican Theological Review*, 1952, pp. 203-206; MILIK, *op. cit.*, p. 290, note 1). Now the information derived from the Qumran caves turns it into a certainty. We confine ourselves to refer here only to fragment 1QSa (MILIK, p. 291), which is particularly illuminating; it speaks of the advent at "the end of days" of "the priest" (הכוהן) and "the Messiah of Israel" (משיח ישראל). As to the singular *משיח* in the Damascus Fragments, though the expression can be explained as *ישראל [משיח]* it is more plausible to assume that it represents a copyist's emendation. We have to bear in mind that the manuscripts of the Fragments were copied in the tenth and eleventh centuries, at a time when the conception of the two Messiahs had long been forgotten and must, therefore, have appeared to the copyist as most strange and incredible. Another such emendation we have in the expression *במשיח הקודש* (6, 1). This expression is grammatically indefensible. SCHECHTER (p. xxxvii) and GINZBERG (*MGWJ*, 1914, p. 396) emended to *הקדוש*, HABERMAN, on the other hand, reads: *במשיח הקדוש* (cf. *'Edah We-'Eduth*, Jerusalem, 1952, p. 101). However, it is more probable that the original had the plural *במשיחי הקדוש* and this was emended by the copyist. We have also to remember that in the manuscripts of the Dead Sea Scrolls, from which the Damascus Fragments were presumably copied, *yod* and *waw* are frequently indistinguishable.

intimation to the same effect contained in the title *harash* conferred on the "Interpreter of the Law," as pointed out above.¹

This conclusion can be supported by a rabbinic source—a statement in the name of R. Yohanan b. Zakkai—which shows that there existed in fact the belief that Moses will return together with Elijah before the advent of the Messiah²:

. . . The Holy One, blessed be He, said: Moses, by thy life! as you devoted your life unto them in this world, so too in the time to come, when I bring Elijah the prophet unto them, the two of you shall come together.

... אמר הקב"ה משה חייך
כשם שנחת את נפשך עליהן
בעולם הזה, כך לעתיד לבוא
כשאביא להם את אליהו הנביא
שניכם באים כאחת

The hope for the appearance of a prophet apart from the Messiah and Elijah is also reflected in the New Testament.³ John i, 20ff., narrates that the Baptist, replying to the interrogation of the Priests and Levites as to his identity, said:

I am not Christ. And they asked him, What then? Art thou Elijah? And he saith, I am not. Art thou the prophet? And he answered, No. . . . And they asked him . . . Why then baptised thou, if thou art not the Christ, neither Elijah, neither the prophet?

"The prophet" refers to the awaited prophet in fulfilment of Deut. xviii, 18.⁴ He is here unequivocally distinguished from both the Messiah and Elijah. From the former he is further clearly distinguished⁵ in John vii, 40f., in connection with Jesus: *Some of the multitude, therefore, when they heard these words, said, This is of truth the prophet. Others said, This is the Christ.*

Further evidence of this belief may be seen in the association of Moses with Elijah in the story of the transfiguration of Jesus, from which it has been inferred that Moses, like Elijah, was considered a precursor of the Messiah.⁶ The same view seems to underlie the appearance of Moses and Elijah as the two witnesses in the Apocalypse of John.⁷

¹ See p. 162.

² Deut. R., III, end, cf. I. ABRAHAMS, *Studies in Pharisaism and the Gospels*, 2nd series, pp. 53-54.

³ Cf. E. C. HOSKYNs, *The Fourth Gospel* (ed. F. N. DAVEY), I, p. 178: "It is clearly implied in the New Testament that the two prophets, Moses and Elijah, were associated in popular Jewish expectation with the advent of the Messiah. . . . The expectation was authorised by Deut. xviii, 15, 18."

⁴ Also the Samaritans hoped for the advent of a prophet after the manner of Moses on the basis of this verse (cf. J. A. MONTGOMERY, *The Samaritans*, p. 244; M. GASTER, *The Samaritans* [The Schweich Lectures, 1923], p. 91). The importance which they attached to this verse is evidenced by the fact that they included it in the Tenth Commandment (cf. GASTER, *op. cit.*, p. 188).

⁵ Cf. J. H. BERNARD, *The Gospel according to St. John* (ICC), 1928, p. 37.

⁶ The belief in two forerunners of the Messiah is reflected in a number of sources, see BOUSSET-GRESSMANN, *Die Religion des Judentums im späthellenistischen Zeitalter*, 1926, p. 233; J. JEREMIAS, *Th.W.z.* N. T., II, p. 941.

⁷ xi, 3f. Cf. especially verse 6. See R. H. CHARLES, *The Revelation of St. John*, p. 281.

That no other evidence of this belief, except for the saying of R. Yohanan b. Zakkai, has been preserved in rabbinic literature, may be due to the fact that the belief in question was deliberately suppressed by the Rabbis for polemical reasons. Since the early Christians saw in Jesus the fulfilment of the promise in Deut. xviii, 18, and depicted him as the second Moses,¹ the Rabbis felt constrained to eliminate altogether the figure of Moses, even as a precursor, from their messianic scheme. And this all the more so, since the new Moses was made to proclaim a new Torah superseding the one given on Sinai.² All this is reflected in the following *aggadah* which clearly carries a polemic import³:

For this commandment . . . it is not in heaven. Moses said to them [Israel]: You should not say *another Moses* will arise and bring us *another Torah* from heaven. I therefore tell you: *It is not in heaven*, that is to say, no part of it has remained in heaven.

כי המצוה הזאת . . . לא בשמים היא. אמר להן משה שלא תאמרו משה אחר עומד ויביא לנו תורה אחרת מן השמים, כבר אני מודיע אתכם 'לא בשמים' היא, שלא נשתתף הימנה בשמים.

The anticipation of a second Moses has also found its expression in the Manual of Discipline⁴ in the phrase: *עד בוא נביא ומשיח*: *Until the coming of a prophet and the Messiah of Aaron and Israel*. The term *a prophet* points to Deut. xviii, 18: *I will raise a prophet* (נביא אקים). This prophet is here distinguished from the two Messiahs.

Millar Burrows,⁵ in dealing with this phrase, was first inclined to say that "this prophet seems to be the most eligible candidate for identification with Elijah." He had, however, second thoughts about this identification, and wrote: "The absence of the article with נביא however, may indicate that no particular individual is meant."

We may add that even the term "*the prophet*" would appear strange if the reference were indeed to Elijah. Since the latter is explicitly mentioned by name in Mal. iii, 23, and "Elijah" is a well-known figure in the popular belief, why obscure his identity by not mentioning his name?

Now according to our identification, though the definite article with *nabhi* would be quite justified as referring to *the prophet*

¹ Cf. Acts iii, 22; vii, 37. See J. H. BERNARD, *op. cit.*, p. 258; R. BULTMANN, *Das Evang. des Joh.*, 1950, p. 61; *Theology of the N.T.*, 1952, p. 111; W. STAERK, *Soter* (1933), p. 79; *Die Erlösungserwartung in den östlichen Religionen* (1938), pp. 55ff.

² JUSTIN MARTYR calls Jesus "the new law-giver" (Dial. xiv, 3, xviii, 3), see BULTMANN, *Theology of the N.T.*, pp. 113, 119.

³ Deut. R., viii, 6.

⁴ Col. ix, 11; cf. *supra*, p. 168, note 2.

⁵ *Anglican Theological Review*, 1952, p. 206.

promised in the Pentateuch and long awaited by the people, the absence of the article is even more appropriate, since indeed no particular prophet known by name is meant, but *a* prophet, whose task will be to resume the work of Moses as authoritative teacher of the Law.

This explanation of the term *a prophet* can further be strengthened by the following consideration. There is in fact a striking difference between the Manual of Discipline and the Damascus Fragments, where a similar phrase occurs four times¹:

| Dam. Frag. | Man. of Disc. |
|----------------------------|----------------------------------|
| עד עמוד משיח אחרון וישראל. | עד בוא נביא ומשיחי אחרון וישראל. |

In the Damascus Fragments there is no reference to the rise of *a prophet*. How is this discrepancy to be accounted for?

The foregoing identification of *a prophet* with the "Interpreter of the Law" enables us to answer this question: The omission of the term *a prophet* in the Damascus document is due to the fact that at the time when that document was written the expected Moses-like prophet had, in fact, already appeared in the person of the "Law-interpreter." But, at the time when the Discipline Scroll was composed—which reflects an earlier period in the life of the sect, before their migration to Damascus—the Moses-like prophet had not yet come and his arrival was still awaited.

We shall now proceed to show that the belief in the rise of a second Moses in the period preceding the messianic age is but part of the general eschatological conception of the sect. This conception actually demands, as it were, the appearance of a Moses as an all-important element in the larger messianic pattern.

The sect regarded itself as an eschatological community, distinguished from other groups not only by its particular way of practising the Law, but by its consciousness of being the chosen community of the "last days." Hence they looked upon all events in the life of their community in the light of realised prophetic predictions, as parts of a predestined messianic scheme of things. This is amply attested by the Damascus Fragments and also by the Habakkuk Commentary.

They were further conscious that the present time represented the final stage in the world drama before the start of the messianic age, which they believed to be imminent. Hence they acted in conformity with the widespread belief that the main features in the early history of Israel, the exodus from Egypt and the life in the desert, would be re-enacted in the eschatological period.² Their exodus from Judah was the counterpart to the exodus from Egypt.

¹ See above p. 168, note 2.

² Cf. L. GINZBERG, *MGWJ*, 1914, pp. 413ff.; APTOWITZER, *Parteipolitik*, etc., p. 107; HARALD SAHLIN, *Zur Typologie des Johannesevangeliums*, Uppsala, 1950. See also R. BULTMANN, *Theology of the N.T.*, p. 36.

They organised their life as a replica of the life of the Israelites in the desert: they were "mustered"¹ and lived in "camps"; they were divided in thousands, hundreds, fifties, and tens²; they entered a covenant, renewing the one made in the desert; they dug and rediscovered the "well" of Moses; the faithless members of the sect who followed the "Man of Untruth" were termed "the men of war,"³ in analogy with those Israelites who followed the spies and attempted to enter Palestine by force.⁴ It is not improbable that the period of "about forty years" said to have passed from the death of the Teacher of Righteousness until the men of war were destroyed⁵ is connected with this parallelism of "desert period"—"eschatological period."⁶

Now this typological parallelism⁷ demands categorically the presence of a second Moses, as the representative of the principal figure who held the very centre in the drama of the exodus and the life in the desert.

This representative was, in fact, personified by the sectarian "Interpreter of the Law."

Seen from this perspective, we are able to account for a rather surprising feature in the position of the "Law-interpreter": his authority seems, namely, to have been limited to the transition period and was to terminate with the beginning of the messianic age proper.⁸ The explanation of this is: Typifying as he does the second Moses, he shares the fate of the first, whose activity was confined to the desert period.

V

Like Moses of old, the primary task of the second Moses was to act as *doresh ha-torah*, as the authoritative teacher and exponent of the Torah, and prepare the entry into the "promised" era, just as Moses prepared the way into the Promised Land. It should be emphasised that the study of the Torah in accordance with the sectarian interpretation thereof had a messianic significance. We recall that, according to the sectaries, not only their contemporary

¹ *Damascus Frag.*, 10, 2; 14, 3.

² 13, 1; *Manual of Discipline*, col. ii, 21-22. See Ex. xviii, 25.

³ *Damascus Frag.*, 20, 14-16.

⁴ Deut. ii, 14, 16; Num. xiv, 40ff.

⁵ *Dam. Frag.*, 20, 14-15.

⁶ Cf. R. Akiba's view that the messianic age will last forty years, in *Midrash Shohar Tobh* (ed. BUBER), p. 393; *Sanh.*, 99a; *Pesiqta Rabbati*, 4a. Cf. the following note.

⁷ There is a significant difference between the rabbinic conception and that of the sectaries with regard to the above parallelism. The former drew parallels between the period of "the exodus and the wilderness" and "the messianic age," considering the latter to be the transition to "the world to come" (עולם הבא), in analogy with the life in the desert which was the transition to the Promised Land. The sectaries, on the other hand, looked upon the desert period as the prototype for the pre-messianic period, which would serve as transition to the messianic era.

⁸ *Damascus Frag.*, 6, 10-11.

opponents, but the previous generations as well, misinterpreted the Torah and therefore went astray. Only the chosen community of the New Covenant that is in possession of the true interpretation of the Law, and those who strictly adhere to it will be saved in the period of transition; all others will be handed over for destruction through the hands of Belial.

Hence the paramount position which the study and exposition of the Law occupied among the sectaries—a fact already evidenced in the Manual of Discipline, which prescribes¹:

And in whatever place the ten will be, there shall not cease to be a man who expounds the Torah day and night continually . . . And the Many shall keep awake in community a third of all the nights of the year in order to read from the Book and to expound laws and to recite the benedictions in community.

ואל ימש במקום אשר יהיו שם
העשרה איש דורש בתורה יומם
ולילה תמיד . . . והרבים ישקודו
ביחד את שלישית כול לילות
השנה לקרוא בספר ולדרוש
משפט ולברך ביחד.

This extraordinary injunction to study the Law twenty-four hours a day, each day of the year,² is comprehensible only against the eschatological background. It has its origin in the parallelism "past—future" referred to above and stems from the conviction that the past must be re-enacted in the eschatological period. The injunction was inspired by Josh. i, 8, which tells that before crossing the Jordan, to conquer the Holy Land, God enjoined Joshua:

This book of the law shall not depart out of thy mouth, thou shalt meditate therein day and night, that thou mayest observe to do according to all that is written therein.

The fulfilment of this command was the pre-condition to the successful conquest of the Holy Land: *For then thou shalt make thy way prosperous, and then thou shalt have good success.*

A talmudic *aggadah* concerning this command is highly instructive. It shows that the omission to comply with it was looked upon as a grave sin. The *aggadah* states that the angel who appeared to Joshua *with his sword drawn in his hand* (ibid., v, 13) reproached the latter "with having allowed the preparations for war to interfere with the study of the Torah and with the ritual service. Neglect of the latter might be a venial sin, but neglect of the former is worthy of condign punishment."³

That the study and exposition of the Law (מדרש הת"ה) was indeed invested by the sectaries with a messianic significance

¹ VI, 6-8.

² The Rabbis of the Talmud who attached such singular importance to study of Torah never demanded the literal fulfilment of this injunction. See *Midrash Shohar Tobh* (ed. BUBER), pp. 15-17 and parallels.

³ GINZBERG, *Legends of the Jews*, iv, p. 7.

To summarise our findings: An examination of the exegetical background of the biblical verses applied to the "Interpreter of the Law" revealed that all four epithets bestowed upon him (*doresh ha-torah*, *mehoqeq*, *keli*, and *kokhabh*=Hermes) were attributes of Moses. On the other hand, the eschatological title *harash* indicates that he was considered to be the forerunner of the Messiah. We drew the conclusion that he was regarded as the Moses-like teacher who was expected, on the basis of Deut. xviii, 18, to rise before the coming of the Messiah. This belief was current at the time of the rise of Christianity and has survived in a rabbinic source, though the Rabbis suppressed it for polemical reasons. The conclusion is supported by the proof-texts found in the Qumran caves, which show that the sect believed in the appearance of a Moses-like teacher. The belief is also reflected in the Manual of Discipline and is demanded by the typological parallelism "desert period"—"eschatological period." Like the first Moses, the primary function of the second was to act as supreme teacher and exponent of the Torah. The study of the Torah assumed among the sectaries a messianic significance.

N. WIEDER.

London.

THE OLDEST LITERARY WORKS IN YIDDISH IN A MANUSCRIPT OF THE CAMBRIDGE UNIVERSITY LIBRARY

(PRELIMINARY REPORT*)

The historians of Old Yiddish literature agree that the beginnings of literary creative activity in Old Yiddish must be placed in the thirteenth or, at the latest, the fourteenth, century.¹ This conclusion has been reached by philological analysis and literary and historical study of the surviving literary works in Old Yiddish, although the manuscripts which contain these works are themselves in general not to be dated before the sixteenth century. No literary work that is actually dated in an earlier period has come down to us, with the sole exception of the Old Yiddish translation of the Psalter, preserved in a manuscript of the Berlin State Library, Or. Qu. 310. But even this manuscript is not older than the close of the fifteenth century.²

I consider it therefore a great privilege that an opportunity has been granted to me to study a collection of Old Yiddish literary works preserved in a manuscript of the Cambridge University Library, FS, 10.K.22, which contains the oldest date hitherto recorded in a Yiddish literary manuscript.³ On folio 19b of this manuscript we read, in fact, the explicit date *ג' בסלו קמ"ב*, corresponding to 9 November, 1382, which is repeated again on fol. 20b, but without the indication of the day and the month. The contents of the Cambridge manuscript, however, surpass in their significance the highly interesting indication of the date, for none of the pieces that make up the collection in the manuscript has been known so far, and one piece has an importance transcending the frontiers of Yiddish literature, since it presents us with a version of a medieval German *Heldensage* which has not survived elsewhere.

The manuscript belongs to the Geniza Collection of the Cambridge University Library, and is written on paper by one hand. It consists of forty-two folios. Its state of preservation is on the whole very bad, for it has suffered damage both from damp and bookworms and has become illegible to the naked eye in many places, particularly at the beginning. The ultra-violet lamp proved to be of enormous help and I have been able to recover a very

* Translated from Yiddish by J.L.T.

¹ L. LANDAU, W. STAERK and LIETZMANN, M. ERIK, M. WEINREICH, J. Z. ZINBERG, and others.

² It is dated 1490. See the description of this manuscript in M. STEIN-SCHNEIDER, *Die handschriftliche Verzeichnisse der Kön. Bibl. zu Berlin*, Berlin, 1878, II, No. 50.

³ I should like to express my deepest gratitude to Dr. J. L. TEICHER, who drew my attention to this manuscript, and without whose friendly assistance I could not have carried out my study of it.

substantial portion of the text; but even this means has been without avail in several instances.¹

The manuscript contains the following literary pieces, some of which are provided with titles:

1. Folios 1a-6b. No title. Contains a prayer in rhyme, which is followed by a poem based on the first chapters of Genesis, beginning with the story of creation and ending with the expulsion of Adam and Eve from Paradise. The description of Paradise is very detailed, and the poet made use of motifs found in the Apocrypha, Talmud, Midrash, and aggadic literature. Its first lines (badly preserved) appear to contain an introduction to the poem itself by the poet (or perhaps the copyist?):

..... דא

..... בן דימא

..... דער שרייב

בלושן אונז גינגן איר שטרושן? ..

The poem ends with an appeal to the public to include the author (or copyist?) in their prayers:

איזק דער שרייבא דער אונש די מער

אונ דיזא רידא קונט מעט

דען נעמט אלא אין אור ו נעבעט

Isaac, the writer, who tells the story in this "discourse," may all of you include him in your prayer.

2. Folios 6b-17a. אברהם אבינו. (The Patriarch Abraham.) An epic poem with Abraham as its hero. It describes at great length how Abraham attained the knowledge of the only God, the creator of the universe, how he destroyed the idols of his father and was thrown into the burning furnace at the order of Nimrod but was saved by the angels, the "holy" Michael and the "holy" Gabriel. It begins with the following stanza:

ווער די אלטע שטרושא די וול גבו ... ט

גוט און די נוון שטיגא מידט

און לומ דער ווירט וול זעלטן איררא

Who walks the old well-paved[?] road and wearily toils up the narrow path, will seldom lose his way.³

The poet then describes God's power as manifested in the work of creation, the stupidity of those who ask where God is, when the "holy" Abraham as a three-year-old child had known this, and, after a reference to Abraham's steadfastness of faith, concludes with the following solemn admonition.

¹ I should like to express my thanks to the authorities of the Cambridge University Library for the kindness extended to me, and particularly to the staff of the Anderson Room for their indefatigable help.

² The spelling of the manuscript is reproduced with no changes.

³ [There is a faint echo of DANTE'S *Inferno* here:

Nel mezzo del cammin di nostra vita

Mi ritrovai per una selva oscura,

Chè la diritta via era smarrita.—J.L.T.]

נן וורמט זינן ווילן די ווילא איר דש לערן הוט
 איזק דער שריבערא דער גיבט אוך דען רוט
 אונז מוט איר דש זא מק אוך ניכט גשוויכן
 זא קומטיר איר אין דש אייווא המיל ריב

Now pray, meditate when you have learned this. Isaac, the writer offers you this advice. If you follow it you will not be abandoned but will enter the eternal Kingdom of Heaven.

3. Folios 17b-18b. יוסף הצדיק. (The pious Joseph.) A short poem about Joseph and Potiphar's wife. It begins very interestingly with an *exordium* by the wandering minstrel (Spielmann):

איך וויל אוך וונדר זינגן וויר עש אוך ניכט צו לנג
 ווי דער גוטא יוסף דש הרצא זיין בטוונק

I will sing you a wondrous tale—may it not be too tedious for you—how the excellent Joseph overcame his lust.

The poem ends with an appeal by the poet addressed to his audience:

נן וועזט אזור ליבא קושא אל גליכא
 זא ווירט אוך צו טיילא דש ורונא הימל ריבא מלייך

Now, if you exhibit love as chaste, the divine Kingdom of Heaven will be your lot.

4. Folios 19a-19b. No title. A fable (in rhyme) about a dying lion. The poem is printed in full at the end of this article.

5. Folio 20a-b. A list of the pentateuchal sections (סדרות) and a Yiddish-Hebrew glossary of the names of the stones in the breast-piece worn by the High Priest.

6. Folios 21a-42b דוכום הורנט. (The Duke Horant.) An epic song comprising the Hilde Sage, which forms the second part, and the core, of the Gudrun Epic.

This is in many respects the most exciting piece in the collection of the Cambridge manuscript. The Gudrun Epic in the form in which we possess it today is the work of Hans Ried, who composed it in the years 1502-1515 at the request of the Emperor Maximilian I. Ried, it has been surmised, used two older manuscripts as his *Vorlagen* and fused them together.² Ried's own manuscript is still extant in the Castle Ambrass in the Tirol, but all traces of the older manuscripts that were used by him have disappeared. The Geniza manuscript of the Hilde Sage is thus at least one hundred and thirty years older than the surviving German manuscript. Moreover, the Yiddish version³ differs in many respects from the German one. Thus, for example, according to the former, Hagen

¹ Abandoned, lost.

² See W. JUNGANDREAS, *Die Gudrunsage*. Göttingen, 1948, pp. 9-10.

³ Yiddish, in the sense that it is transliterated in Yiddish script, not that its language is Yiddish. The same consideration applies, as suggested to me by Dr. TEICHER, to the version מנשה פון קינג ארשט היף the version in Yiddish script of a German medieval epic, which, until the discovery of the Cambridge manuscript has been the only one known to us.

lives with his daughter Hilde in Greece and her abduction takes place in that country, not in Ireland, as in the German version.

* * *

I should like to submit that the Cambridge manuscript represents the actual repertoire of a Jewish *Spielmann* (wandering minstrel) who may also have plied the profession of a school-master as a side line.¹ The contents as well as the choice of pieces suggest this very strongly. The names of Isaac and Abraham, which appear as those of the "writers" of the poems on "Paradise," "The Patriarch Abraham," and "The Fable of the Lion," indicate clearly that our *Spielmann* could not have been the author of all of them. Possibly, he was the copyist; but it is also possible that the names of Isaac and Abraham are not those of the poets (whose names will remain unknown), but of the copyists who wrote down their works.

The discovery of the most ancient literary works known in Yiddish raises a number of problems which I hope to discuss fully in the introduction to the critical edition of the Cambridge manuscript which I am at present preparing and which will be published as a book in Amsterdam. A few general considerations regarding the importance of this find can, however, be made now. The new date, 1382, contained in the Cambridge manuscript—whether it be the date of composition of the poems or the date at which they were copied—indicates that already in the fourteenth century there existed a Yiddish literature which, in part at least, was of a worldly character. The only specimens of such literature known hitherto—if one can see in them indeed the "expression of a creative literary activity"²—consist of glosses and medical recipes in German, transliterated in Yiddish script.³

The poets whose works are represented in the Cambridge manuscript exhibit full mastery of the literary technique which is so well known to us from the period of the highest flowering of the Yiddish minstrels' poetry, with its masterpiece, the "Samuel Book." In the poems on "Paradise," "The Patriarch Abraham," and "The Pious Joseph"—poetical elaborations of biblical subjects in Nibelungen verses—midrashic elements and other motifs of Hebrew literature are woven together in a skilful fashion not dissimilar to that exhibited in the "Samuel Book." The historians of Yiddish literature will now have to investigate how much truth there is in the statement that the "Samuel Book" represents "our first

¹ The presence in the manuscript of the list of pentateuchal sections and the glossary of the names of the stones seems to point to this.

² B. BOROCHOV, *Di Bibliotek fun Yiddishn Filolog*. No. 313 in *Der Pinkos Vilna*, 1913.

³ See A. NEUBAUER, *Cat. of the Hebrew Mss. in the Bodleian Library*, Oxford, 1886, Col. 132, No. 672.

literary school which has paved the way to an entire literary genre."¹

I shall now print the text of the "Fable" on folios 19a-b of the manuscript:

- 1 איין ליווא מויליך דר וורט קרנע
... גרושא ... דש ער רנק. די מיר
שווען זין גרושא נוסא אובא ער לעבמא
אדר ווירא מוט. דער הירץ טרט אימא
5 אין דען מונט. דר נוך קם איין גרושר הונט
אונ' בייש אין זירא אין דען נק. דא ער אין
גרושן נוסן לב איין אכשא קם מיט גנצר לושט
אונ' שטיש אין שווינדא אן זין ברושט. אין
בוכש קם גדרונג אונ' בייש אימא אין די צונג
10 אין האנא קלוקטא אים אין די אוונג. אופן בור
אונ' טוונג. איין פערט שלוך אין מיט ליקן דש
בגונדא אין זירא ארשריקן. עש קומן ווילדא
קאצן די בגונדן אין זירא קראצן. אין איזל טעט
אימא אונ' וואונא דער שטיש אין אין דש דונא
15 דר נוך ער צו אימ' זלבר קם אונ' וויניק קרפט אן
זיך נם. ער שפר' ליבר ג' הער גוטא. נו שטויר
דימא מוטא. די בור מין קנעכטא וורן. זיך ווי
די גבורן. זי טון מיר לשטר אונ' שנדא אין
שטיטן אונ' אימ' לנדא. אונ' וריין זיך מינר
20 קרנקהייט. זי טון מיר יומר הרצן לייט. די ניכט
מוכטן מין הירטן זין זי זינט נו די הירן מין
זי טרעטן אונ' קרצן מיד. ליבער הירא דען יומר
זיך אונ' ריך מיד אן דען בור וואושן דש זי
בון מיר לושן. אונ' קימא איך ווידר אף די בייך
25 איך מיט אין מורט אונ' מייך. ג' זך זיין גרושא
הופרט ... אונ' ... ניכט ... אונ' ...
אונ' ליש אין אין יומרש נוס. אלזא בליפ דער ליווא
טוט: דש בישפעל איך גליכן ... אונ' אינן
שנודן בוזן מן. דער גוולט טיט אונ' אונרעכט
30 אונ' קרומט אלא דינגא שלעכט. מן מוש אימא
דינן מיט גוולט. ער זי מנר אדר אלט. ער וויל
נימנט מיט ליבא ^ה2 נור מיט בורכטן מושן זי שטן. זי
בוורגן זיך בור שדן דען ער אף זי קן לארן
35 ער גיבט דורך גופט ריכן וולט. ג' לופ אימא
אישט נימנט הולט. בגונדא ער צו באלן זא
וורדן די לויטא אלא שמלן. אונ' ורווען זיך מיט
הרצן די בון אימא הטן שמרצן. אונ' וורדן לובן

¹ M. ERIK, *Di Geshikhte fun der Yiddisher Literatur*, Warsaw, 1928, p. 80.

² This line is twice repeated in the Ms.

דען ליבן גי דער אין אלזו גבילט הוט. ער טעט
 40 אין בורכטא אונז דרו זי קונדן נומר ווערדן ורו.
 זין אן בליק אישט אומוט. נומר גשהא אימא
 קיין גוט. דש ווישט אלא גליכא. ער קומט נומר
 אין גי ריכא. ווער דער לויטא וינטשפט הוט
 דער הוט גרושן הש בון גי. די אינגל אימא
 45 הימל זינט אימא גראם אונז איך
 דער שריבער אברהם. סליק
 גאוות רשעים ילבשו
 קרעים. גי כסלו
 ק מ נ לפר . . .

A lion fell ill and was in pain . . . great . . . so that he became twisted all over. The animals saw his great distress [and wondered] whether he would live or die. A hart kicked him in the mouth. A big dog came and gleefully bit his neck. While he lay in great sorrow, an ox came and with zest gored his breast terribly. A fox bore down on him and bit his tongue. A cock pecked at his eye, freely and vigorously. A horse struck by trampling upon him, which alarmed him mightily. Wild cats arrived and began fiercely to scratch him. A donkey attacked him readily, kicking him on the temple.

When the lion had recovered his senses and gathered some strength, he spoke: "God Almighty, Merciful Lord, oh, give me courage! See how those who were my servants before comport themselves! They heap upon me shame and disdain in the cities and the county. They rejoice at my sickness; they cause me grievous distress! Those who were incapable of being my shepherds are my lords now, scratching and treading upon me! Oh, God Almighty, look upon my disgrace and restore me to my previous state so that they may leave me in peace! And when I stand again upon my feet I will mete out to them slaughter and injury."

God saw his great pride . . . and . . . not . . . and left him to his distress; and so the lion died.

This parable I apply . . . to an arrogant wicked man who does violence and injustice and makes all things crooked for evil purposes. He compels service by force, whether he be young or old. He seeks to win no man with love, but all must stand before him in fear. They are afraid of the burden that he may lay upon them. He pays a due as if he made a gift. He never finds grace in God's eyes. When he begins to fall, the people despise him and those who suffered from him rejoice with a full heart and praise God who has willed it thus. He had ruled with fear and threats and the people could never be happy. His presence alone had spelt terror; may no good ever be his lot. All of you know this very well that no man will enter the Kingdom of Heaven who has earned the enmity of the people. He has gained God's intense hatred. The angels in heaven are angry with him as well as I, Abraham, the writer. *Finis*. The pride of the wicked is dressed in tattered cloth.¹ 9 November, 1382.

L. FUKS.

Amsterdam.

¹ This sentence is in Hebrew in the original.

CURRENT LITERATURE

E. NEUFELD. *The Hittite Laws*. London. Luzac and Co. 1951. Price 35s.

The Law Code of the Ancient Empire of the Hittites, probably copied in the thirteenth century B.C., is preserved to us in the cuneiform tablets found in the Hittite capital, Bogazköy, and a critical edition of it should be an important book. Its editor, Dr. Neufeld, author of a recent work on ancient Hebrew marriage laws, has given proof of his interest in ancient studies. In the present instance he deserves at first sight praise for having taught himself a considerable amount of ancient Hittite, and for having tackled a task from which many have shrunk in spite of its importance. A work on this subject was particularly needed because in the course of the last few years, since the *editio princeps* of Hrozný in 1922, several new additional tablets have been copied from the Hittite cuneiform archives and released for study. Whether Dr. Neufeld was the man, apart from his courage and industry, to undertake this ambitious feat is to be examined. There are useful features about this book, such as the detailed discussions at the end, arranged under chapters, comparisons, to a small extent, with other codes of ancient Laws, a detailed bibliography, and excellent photographs of the tablets. It is unfortunate, but not perhaps serious, that four tablets, 2, 19, 58, and 80 are upside down. A more disappointing feature is that, instead of the detailed *transcription* of the Hittite text, absolutely indispensable to serious study, giving us the actual Hittite words used, we are supplied with Dr. Neufeld's *translation*, into English, side by side with the same into Hebrew, without any means of checking either with the original Hittite, if so minded. For the older texts, we may use Hrozný's transcription; but for the newer tablets no transcript exists. And what useful

purpose the Hebrew text serves in the circumstances it is hard to see. To discuss Neufeld's translations in detail here would be inappropriate. It is a fortunate coincidence (or an unfortunate one, depending on one's point of view) that a complete and naturally more reliable translation of the whole, by one of the most outstanding of Hittitologists, A. Goetze, has simultaneously appeared in *Ancient Near Eastern Texts Relating to the Old Testament*, edited by J. B. Pritchard, Princeton (1950). Some important linguistic discussions of the Laws have also appeared in reviews of Neufeld by J. Friedrich, *Oriens* 5, 1, and S. Alp, *Journal of Cuneiform Studies*, vi, 2, 1952, and O. R. Gurney in *Palestine Exploration Quarterly*, 1952, Part 1. All these prominent scholars have probably advanced understanding of these unbelievably difficult texts more than Neufeld has done. For though the vineyard is open, and labourers are urgently wanted, "une nouvelle édition du Code . . . ne peut plus être réalisée que par la collaboration d'un hittitologue spécialisé et d'un historien du droit" (E. Laroche, "Les Textes Juridiques Hittites," *Archives d'Histoire du Droit Oriental*, v, 1950).

In tribute to Dr. Neufeld's perceptiveness it must be put on record that he seems to have recognised this need for collaboration. His methods of obtaining it were, however, unconventional. To some authorities whom he has consulted he makes acknowledgment in his introduction, to others, not so. "Im Vorwort," writes Professor Friedrich in the above-mentioned review, "nicht erwähnt wird, dass er vor mehreren Jahren auch bei mir direkt und indirekt über Mittelmänner in London mancherlei Rat gesucht und, wenigstens teilweise, auch erhalten hat." An interesting example of Neufeld's technique of consultation can be provided from nearer at hand. During the years 1944

to 1948 the Department of Egyptian and Assyrian Antiquities in the British Museum (where I am employed), received a series of inquiries asking their opinion about various points in the Hittite Laws from a person signing herself Mrs. B. Pohoryles, and writing from 5 Fitzalan Road, Finchley. To all of these but the last (with which I was requested to deal), a senior official of the department patiently replied. On p. 140 of Neufeld's book will be found the following passage:

"The operative word ^{DUK} KAM does not permit of even a vague approximate understanding of the precise operation referred to: all that seems clear is that since at one time the operation was subject to a government impost apart from a standard charge, the operation was public or communal in nature. . . . If the reference is really to cooking, which seems by no means certain, it is possible that we have to imagine a communal town meeting place with a kitchen which might be let out to use by individuals. That is of course merely a speculation based on the analogies known in Greece, where the men had a public meeting place in every town which became the "club," and in modern Kurdish villages. Babylonian towns had such meeting places for the *puhru* (last discussed by Thorkild Jakobsen, JNES II, pp. 162ff., whose conclusions are rather doubtful)."

The above reproduces word for word that official's letter of February 10, 1945, subject to the omission or modification of passages in the first person.

It is hardly necessary to mention that no acknowledgment appears at any point to that official. But neither Professor Friedrich nor that official is the only victim of Dr. Neufeld's methods of vicarious research. Their views, which they were persuaded to part with, albeit under some misconception, were imparted voluntarily. Anyone, however, who will choose to compare Dr. Neufeld's remarks (pp. 102-4) on the Laws of

Eshnunna, Babylon, and Assyria, with A. S. Diamond's *Primitive Law* may find no less than ten cases of the purest plagiarism, where whole sentences are appropriated from the printed work in defiance of copyright. The most astonishing thing is, as Mr. Diamond has remarked to me, the pains which Neufeld has taken to fit together passages from all over his source, and weave them into a single whole. I quote one passage:

"Similarity or dissimilarity of the different provisions in relation to one another *often* depends upon the similarity or identity of the circumstances with which they deal and not *always* on the similarity or identity of underlying principles. . . . It is the external and not the internal similarity which the legislator recognises. . . . Legal principles had not evolved sufficiently to be regarded as the common foundations of the law. . . . To a certain limited extent, *e.g.*, in the field of property and marriage laws there were probably a few well-recognised principles."

The words in italics are Neufeld's. The rest will be found in Diamond, p. 26, l. 14 and p. 28, l. 4.

Other plagiarised passages are Neufeld, p. 102, l. 2-7=Diamond, p. 23, bottom line, to 24, l. 6; which are identical, except that Neufeld has misspelt "apodosis"; Neufeld, *ibid.*, l. 7-8=Diamond, p. 24, l. 5-6; Neufeld, *ibid.*, l. 14-15=Diamond, p. 213, l. 3-4; Neufeld, *ibid.*, l. 19=Diamond, p. 30, l. 9; Neufeld, *ibid.*, last line=Diamond, p. 212, middle; Neufeld, *ibid.*, l. 25-28=Diamond, p. 212, l. 7; Neufeld, *ibid.*, note 43=Diamond, p. 55, bottom line; Neufeld, p. 103, l. 24=Diamond, p. 24, l. 11ff; Neufeld, p. 103, l. 2=Diamond, p. 31, l. 23.

In my review of the present book in *The Jewish Chronicle* of March 15, I noted that Diamond's indispensable and original study did not find mention among the list of relevant books in Neufeld's bibliography. It is now clear why. No

doubt if it were worth the trouble, further *Quellenforschung* would reveal the existence of other unacknowledged strata. It is hardly necessary to say that the task of the reviewer of a book on so difficult a subject might be made easier if he knew whose views he was in fact reviewing.

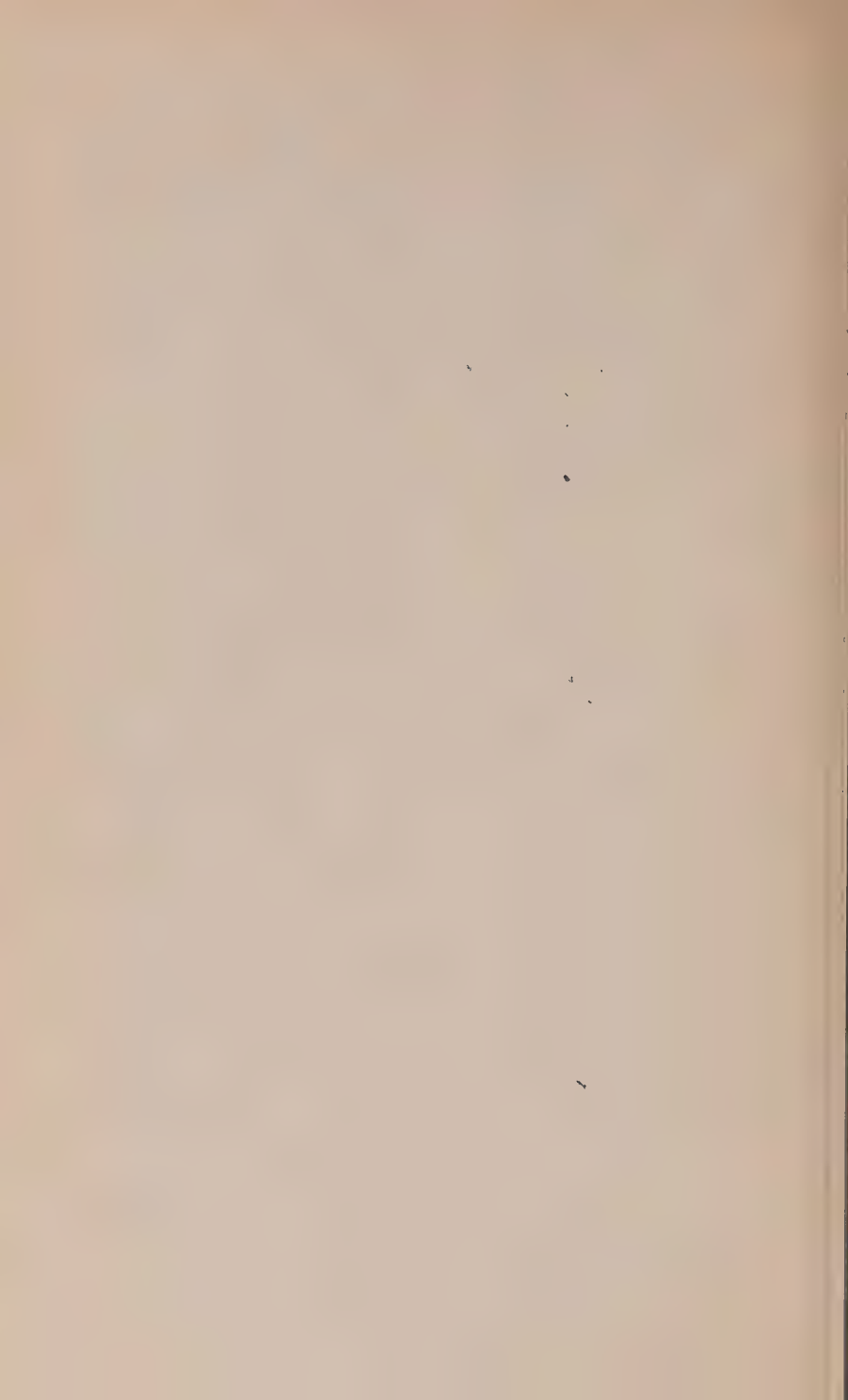
In his introduction Neufeld conceded the difficulty of these texts. The fact is that the subject of Hittitology is not yet at the stage where it can be confidently approached by any student simply armed with optimism and a dictionary, and desirous of publishing, for the simple reason alone that an adequate dictionary such as Liddell and Scott for Greek, or Brown, Driver, and Briggs for Hebrew, does not exist, and all except a few specialists who have made complete slip-indices of their own, have to depend on the all too short works of Sturtevant (and now Friedrich), which are practically without references to passages illustrating the words. Now almost every clause of the Hittite Laws contains some rare or strange word or expression, and stands in need of a linguistic discussion by a specialist who has references to *all* the occurrences, published and unpublished, of the word. Even as it is there is considerable variance between such experts on the meaning of such passages as have generally been discussed. The style of these archaic Laws is usually vague, allusive, and even sometimes ungrammatical; indeed often they are very little like Laws at all in the modern sense, but are more like collections (or recollections) of verdicts. Small wonder then, if Neufeld's versions, in face of these difficulties as a whole, do not inspire confidence. The present writer has noted over forty clauses out of a total of some two hundred where the meaning seems to be different from that given by Neufeld. To quote them here

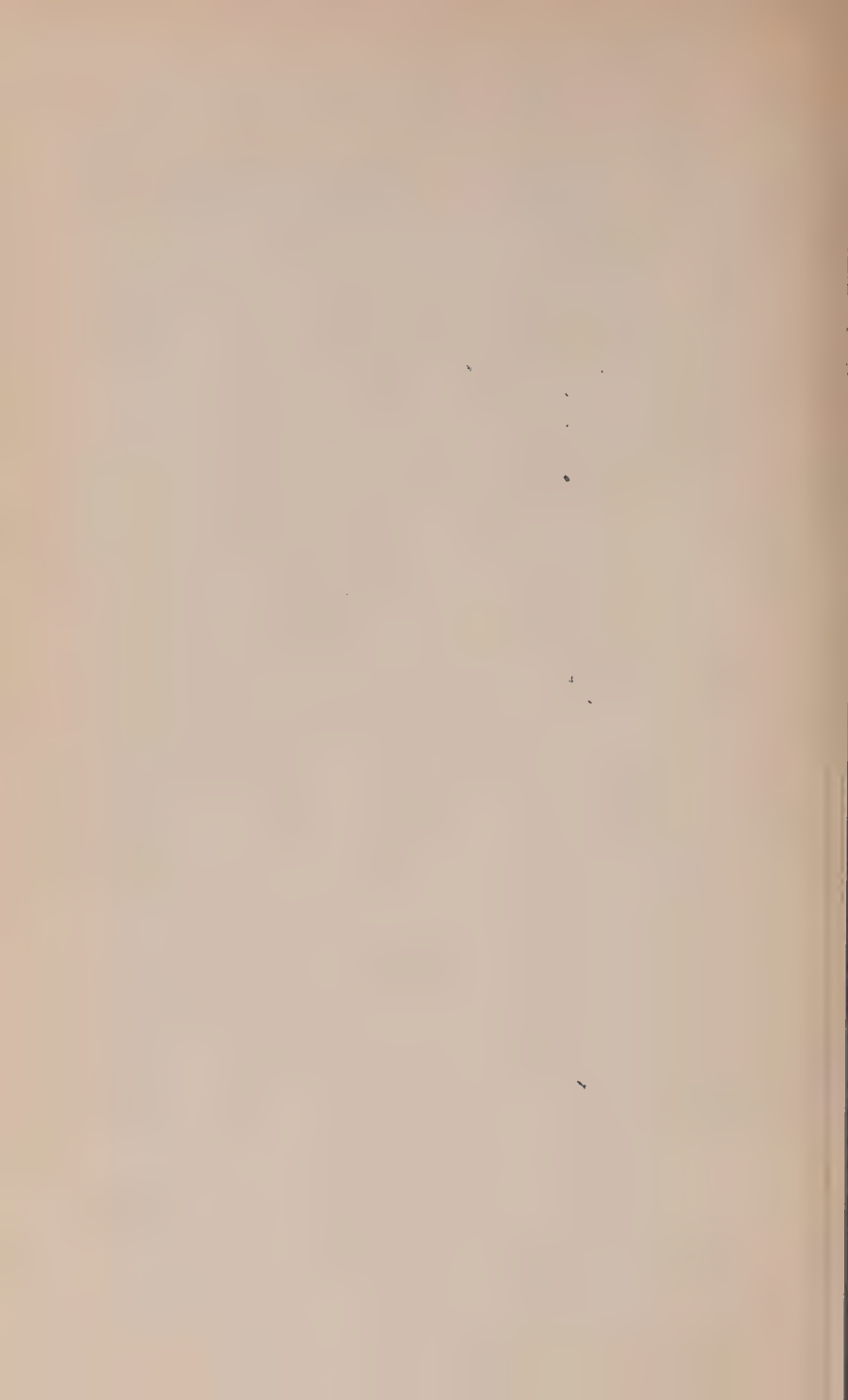
would be out of place. We mention only one, §98, where Neufeld has omitted the negative. The discussion on pp. 37-8 on "Gestation during the tenth month" could have been simplified by knowledge of the fact, now well known to medical science, that the true period of pregnancy in humans is not, as commonly supposed, nine months, but forty weeks. The Hittites and Babylonians after all were correct. So, too, was Virgil in his famous and supposedly Messianic passage in the IVth Eclogue, "*matri longa decem tulerunt fastidia menses.*"

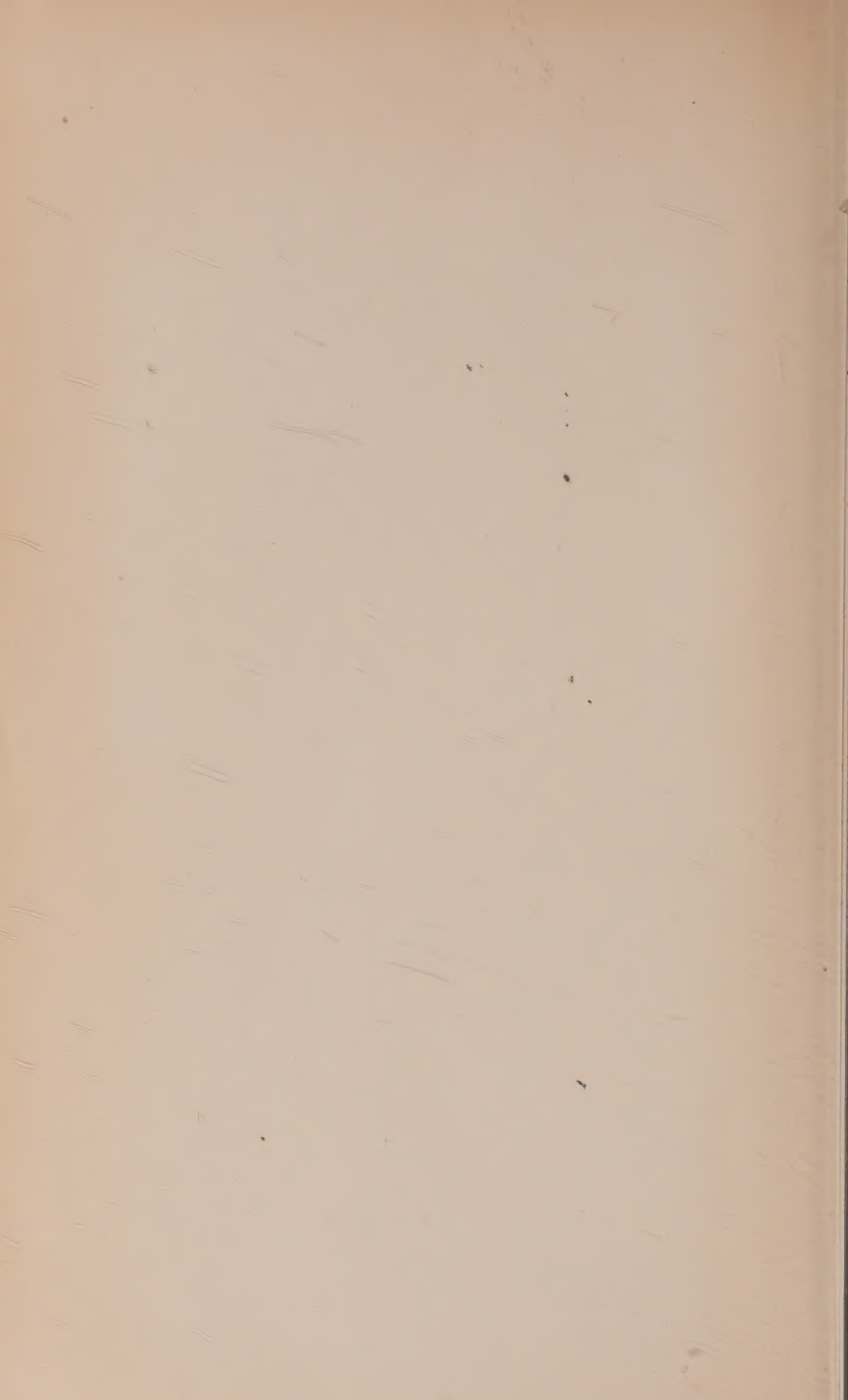
It remains a fact, as Neufeld himself points out in his introduction, that a new English version of the Hittite Laws, together with a legal commentary and a discussion of similarities and dissimilarities with the ancient Laws from Babylonia and Assyria of approximately the same era, might broaden our knowledge of the subject and throw some light on their interdependence, if any. This is devoutly to be hoped for as an ultimate objective of study. Neufeld does not claim to offer this, but merely provides some general information about the Laws and about individual aspects of them. Some curious similarities to Biblical laws, such as the prohibition of mixed seeds, the *lex talionis*, instructions about straying cattle, attracted notice many years ago; in their case Neufeld deals judiciously with the parallels and warns not to lay too much stress on them. His discussions forming the concluding part of his work, if they had been based on a reliable translation throughout, might have had some value. All in all the book cannot be recommended, and for the integrity of British and Jewish learning it is necessary that the truth be said about it without flinching.

R. D. BARNETT.

London.







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